

Prof. Hélène Landemore

From citizen-consumers to citizen-legislators: Three models of democracy



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Three models of democracy

Cleveringa-oratie uitgesproken door

Prof. Hélène Landemore

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I'm delighted to be delivering the 2025 Cleveringa lecture here at Leiden University.

Let me first thank the University of Leiden and my gracious hosts for awarding me this recognition and title. I'm deeply appreciative of the honor.

Rudolf Cleveringa spoke out against the exclusion of his Jewish colleague from the academic community. I am, like him, worried about exclusions, albeit ones that happen much upstream of the fascism he was combatting. I am worried about those exclusion that are integral to democracies as we know them. Fixing such exclusions does not require the moral fortitude and physical courage Professor Cleveringa displayed. But it might save us from having to rely on such virtues, by staving off the populist and authoritarian temptations that democratic blindspots and injustices tend to foster. So, my goal here is not to model resistance but instead to practice prudence in a Machiavellian vein. I want to build dams and help shore up our existing systems against the ever-present dangers of authoritarianism and democratic backsliding by fixing democratic exclusions while we still can.

My past work, in my books *Democratic Reason* and *Open Democracy*, has focused on understanding how we can make our democracies smarter by remedying these exclusions and giving more voice to more people. I believe that democracies are smarter, and also more united, when they listen to their citizens and represent more of them faithfully.

In my early work I used to cite Aristotle's argument about the wisdom of the many and how many heads are better than one, in the famous passage from *Politics* III,11. But in recent years I have come to prefer quotations by W.E.B. Du Bois, the American civil rights activist, sociologist, and historian, who to my mind, captures even more accurately the value of an inclusive democracy. In an essay called "On the Ruling of Men" in his book *Darkwater: Voices from Within the Veil* (p. 84), he

wrote: "The real argument for democracy is, then, that in the people we have the source of that endless life and unbounded wisdom which the rulers of men must have." In Du Bois' view, any political regime needs more wisdom than any individual or group of individuals can possibly have. That's why there cannot be any monarchical, oligarchic, paternalistic or technocratic shortcut to good governance. Only democracy, a regime that in theory includes all voices, is capable of providing its rulers the knowledge they need. By contrast, when you exclude voices, whether it's women, blacks, the uneducated, the poor etc, you actually condemn yourself to ignorance and therefore bad governance.

Du Bois further explains his views this way: "The vast and wonderful knowledge of this universe is locked in the bosoms of its individual souls. To tap this mighty reservoir of experience, knowledge, beauty, love, and deed we must appeal not to the few, not to some souls, but to all." It's the same idea as in the previous quotation but this passage more explicitly captures the well-rounded nature of the political knowledge Du Bois has in mind. This political knowledge not only has cognitive and epistemic components, but also aesthetic, emotional, and practical dimensions. He is saying that democracy is about more than heads and minds, it is also about hearts and souls. It's not just about knowledge and intelligence, it's about life, love, and action.

So that type of broadly construed political wisdom is, still, to me, the reason why democracy is valuable.

Now, the question is: assuming we know what democracy means—something like people's power—and we have reasons to value it including good governance —what do we think democracy should look like in the ideal?

There are contradicting answers to that question. And I can think of at least three models that propose three competing ideals of democracy. But as I will argue, not all these models

are equally satisfactory in the way they can channel the life, love, and wisdom of a given people.

To spare you the suspense, these three models are the market, the forum, and the jury. There may be others, but I think those three are the main ones. By models I mean abstractions that may not exist in pure form anywhere but whose main features can guide institutional design.

To give credit where credit is due, the distinction between the market and the forum comes from Norwegian political theorist Jon Elster, who engaged in a similar exercise of typology almost 40 years ago with his famous article “The Market and the Forum: Three Varieties of Political Theory” (1989). The intriguing part of his article is that he had two models of democracy, the market and the forum, and yet three varieties of political theory (economic, liberal, and republican).¹ We don’t need to get into the details of why he thought that. I’m interested in a slightly different exercise here: figuring out the types of democracy we can build on the contrast between market, forum and jury. I’m also interested in the vision of the citizenry that each model both assumes and is likely to shape.

So, what are exactly the three models of democracy I propose and their related view of the citizen?

The market model construes politics as akin to a business transaction and the citizen as a consumer of policies. The forum model envisions politics as an open deliberative space and the citizen as a bearer and assessor of reasons for and against policies. The jury model, finally, construes politics as a space for deliberation *and* decision-making among peers selected by

1 That’s because in his view the market was essentially supported by Social Choice Theory when the forum view was supported by two distinct approaches, Deliberative Democracy on the one hand and Participatory Democracy on the other. Deliberative democracy, on his view, offered an instrumental justification of deliberation, while participatory democracy offered an intrinsic one.

lot. In this model, the citizen acts as a legislator. The first model, the market, was shaped by 20th century economists and is the dominant paradigm to this day. The second model, born in the 1990s, is more aspirational albeit growingly influential. The last one, the most ancient, was seemingly forgotten until it started to experience a revival of sorts.

These three models are ideal types. In practice a version of all three might need to be present in a functional democracy to a more or less pronounced degree. We should nevertheless value distinguishing them so as to measure what model dominates descriptively, and with it what trade-offs or reforms are worth considering.

The million dollars question is of course: assuming all three types have some virtues, how does one successfully articulate them in complementary institutions?

Let me start by exploring each model in turn.

The origins of the market model are to be found, first, in the work of economist Joseph Schumpeter, the author of the 1942 landmark book *Capitalism, Socialism, Democracy*, in which he lays out a vision of democracy as a system of governance where elites compete through elections for the right to rule the populace. It is a minimalist/realist/conservative model because it rejects the idea of the popular will or popular sovereignty, a fiction according to Schumpeter. Instead, this model views democracy as a mere method for elite selection, whereby the system grants citizens only one vote to participate in the selection process.

As such, the citizen acts only as a voter, pursuing his own, narrow, self-interest. On that view, voters shop around for the “best” representative like consumers shop around in a supermarket for the best products. However, Schumpeter thinks the voter is actually worse than the consumer in one key respect. Unlike the consumer, who rationally researches

and compares products to ensure the best possible trade-off, the voter actually doesn't act rationally, especially not in large crowds, because group think easily sways individuals in politics. We cannot expect any wisdom from citizens qua voters and as members of large groups.

This means that democracy is not a regime of collective knowledge. It is a regime run by elected elites who are supposed to know better than the collective, tempered by the popular element of majority rule. Why is majority rule desirable? Not because it adds an epistemic layer of any kind, not even prudence or common sense. But simply because it creates random shocks to the system at periodic intervals, which has the benefits of keeping elites on their toes. So elites are on top, but they can't fully rest on their laurels and that is what distinguishes democracy from straightforward oligarchy.

This model of democracy as an (imperfect) market was refined by economist Anthony Downs in his book *An Economic Theory of Democracy* (1957). This book is in many respects a rational choice theory formalization of Schumpeter's approach. Like Schumpeter, Downs sees democracy as a mere procedure to select rulers characterized by competition between parties for the citizens' votes. Here the analogy to the market is fully explicit. The assumption of rationality in its instrumental sense is fully articulated: politicians sell policy promises to gain votes like entrepreneurs sell business ideas and goods to make money. Political parties seek power for the benefits power confers on them (not for ideological motivations, although ideologies are useful marketing tools in a context of uncertainty). Voters perform cost-benefit calculations and vote for the party whose policy platform maximizes their own interest (not what benefits the common good).

The view of the citizen is that of a passive consumer. Citizens qua voters don't have much influence on political decisions. Given the cost of acquiring information and voting, and given the low chances of being pivotal in any election, it is not even

rational for voters to vote in mass elections. By contrast, the producers of information—parties and lobbyists—play the main role in shaping political agendas. For Anthony Downs, like for Schumpeter, democracy is not a vehicle for self-rule; it is....

The advantage of this model is that it scales really well. It can work at the scale of a Swiss canton or a large nation-state. It scales well in part because it's minimally demanding of the citizen in terms of time and cognitive competence. All they need to do is vote every few years. They don't even need to learn that much about candidates and policies. They don't need to talk to their neighbors or their representatives or engage in politics beyond the act of casting a vote.

But there are also problems with this market model of democracy. It's arguably more elitist than democratic per se. The focus on competition for votes straightforwardly leads to polarization and conflict. Preferences are implausibly given once and for all and static. Reasons and ideologies are only fig-leaves for interests. There is no room for any idea of the common good. It generally fosters an agonistic view and practice of majority rule as "flexing muscles." Politics becomes the arena where interest clashes resolve themselves more or less bloodlessly (see also Adam Przeworski). And more problematically from my epistemic perspective, it ensures that decision-makers are too homogenous in their ways of living, thinking, and understanding political issues. This system programs politicians into *not* leveraging the full wisdom of the people they rule.

Jon Elster himself saw the main flaw of the model as making a category mistake about the nature of politics. To quote him, social choice theory:

"embodies a confusion between the kind of behavior that is appropriate in the market place and that which is appropriate in the forum. The notion of consumer sovereignty is acceptable because, and to the extent that,

the consumer chooses between courses of action that differ only in the way they affect him. In political choice situations, however, the citizen is asked to express his preference over states that also differ in the way in which they affect other people.”

In other words, political choices should not be conceptualized like market choices. When I choose a TV, my choice only affects me. When I choose a policy on immigration or tax rates, my choice affects me and everyone else around me. It seems that our conception of democracy should reflect this fundamental difference between the market logic and politics. When we make choices that affect others, we, as citizens, should be expected to do more than vote for our self-interest. We should be able to articulate reasons that others can understand support our particular course of action. This means internalizing the perspective and interests of others. Doing so means going beyond one’s narrow self-interest.

Building on that intuition, which Elster and many others shared in the 1990s, another model was put forward, namely that of the “forum.” The forum is a Latin term that refers to a public place, dedicated to the exchange of goods but also, and more importantly, to the exchange of ideas and arguments. While the word evokes ancient Rome, the older precedent is Greek. In Classical Athens, political deliberations first took place in the agora, which was primarily a market. Later, these deliberations were moved to a special place, called the Pnyx, a hill on which the demos would assemble and make collective decisions. The Pnyx was a forum, in which orators debated arguments for and against a policy in front of the assembled people. If the Greek peasants were going to invade Sicily, they wanted a good reason to go and risk their lives. If the city was going to raise taxes, they would need to know exactly what these monies would be used for.

While the market model emphasizes competition, the forum model thus emphasizes deliberation. Here, democracy is

not merely about selecting leaders or policies; it is about citizens engaging in reasoned discussion to form collective judgments. The forum model draws on the rich tradition of classical republicanism and Habermasian deliberative theory (Habermas, 1996), highlighting the epistemic and normative potential of public discourse.

From this perspective, citizens are not passive consumers but active participants whose interactions can produce insights that no single individual could generate alone. This aligns closely with the arguments advanced in my own work (*Democratic Reason*, 2013; *Open Democracy*, 2020). By pooling diverse perspectives, knowledge, and reasoning capacities, democratic deliberation can improve the quality of collective decisions.

The forum model emphasizes inclusivity, transparency, and reason-giving. Unlike the market model, which treats disagreement as competition, the forum model treats disagreement as an opportunity for mutual learning and epistemic improvement.

Why does justification matter so much in that view? It matters in part because, as Elster put it, my decision qua voter can affect everyone else (not just me). This means that while politics can start from preferences, it should not end there: through deliberation with others we can launder our raw preferences into deliberate judgments. That is why deliberative democracy prefers talking of the collective will as an aggregation of judgments rather than as an aggregation of preferences.

What does deliberation mean in this vision? It is seen as an exchange of reasons and arguments but not only. In recent years, deliberative democrats have accepted the wisdom of W.E.B. Dubois and recognized that more emotional and aesthetic elements can be a part of deliberation, such as narratives and story-telling. The point is that deliberation of

this expansive kind is the only thing likely to generate enough legitimacy to support the decisions then taken by the majority. This legitimacy arises from the inclusion of all voices and reasons, which is more likely to generate better outcomes and collective wisdom. But this inclusivity is also a way to show minorities that they are able to weigh in collective decision-making. And even if the minorities' input is not taken into account, they can prepare counter-arguments and reasons to change the outcome of the next decisional phase.

The beauty of this model is that it elevates the citizen from consumer to reasoner and talker, from someone purely concerned with their own self-interest to a genuine citizen, also concerned with the common good. We can expect this citizen to engage in a discursive exchange of views with others or within themselves (“deliberation within”) while hearing the arguments put forward by parties and representatives. The preferences of such a citizen are not given once-and-for-all but can be shaped and transformed by the deliberative process.

Yet the forum model is not without challenges. The main problem is that it cannot fully accommodate the mass scale of modern democracy. Deliberation among all at the scale of nation-states would take too many evenings. In fact, even in ancient democracy, the number of people who could engage in deliberation was much smaller than the number of citizens. The agora of Classical Athens could only contain 6000 out of the 30 000 male citizens in the city-state. There are even some doubts as to the deliberative nature of the meetings of the Assembly, given that only a few orators could really speak. Because we do not know how to conduct deliberation among millions of people, deliberative democrats have opted for a division of labor between democratic representatives who deliberate in the formal setting of parliaments and the rest of the public who deliberate informally in the larger public sphere, via the media, civil society, parties, and other groups, to set an agenda for the politicians.

In the end, however, deliberation among elected representatives is just as elitist as in the market model, marred by the same blind spots that comes from not tapping the full experience and wisdom of the larger population. Meanwhile the deliberation in which most ordinary citizens participate takes place outside the sphere of decision-making and is at the mercy of all kinds of manipulative forces (parties, interest groups, AI-bots, ...), questioning its agenda-setting value. There is arguably something of the market model in the way deliberative democrats assume that the competition between ideas in the larger public sphere will turn into a coherent and representative agenda for politicians.

This is why I propose that we turn to a third model of democracy: the jury. The jury model represents a distinct yet complementary vision of democratic governance. In this model, the key institution is a randomly selected group of citizens—analogue to a judicial jury—entrusted with deliberating and deciding on policy questions or legislative proposals.

This model is closer to the forum model than the market model in that it too rejects a view of democratic politics as elite competition and pure aggregation of preferences. It also rejects the related conception of the citizen as a mere consumer. Like the forum model, the jury model relies on a division of labor between citizens and representatives. But this division of labor does not create a massive gap between deciding elites and the public like the simple forum model does, because representatives are randomly selected rather than elected. This simple modification in the selection mechanism ensures that at all times the group of decision makers looks, feels, and thinks like the larger public because it is broadly demographically representative of it. In that sense this representative sample is much less likely to ignore perspectives and voices because it contains very similar ones to that present in the entire population. As such, it tracks issues relevant to the entire

society. Additionally frequent rotation accompanies selection by lot, preventing the formation and entrenchment of a class of professional politicians that grow further and further apart from the concerns of their constituents. In that sense the jury model empowers ordinary citizens, not all at once but in turn, and explicitly connects deliberation by such samples of ordinary citizens to decision-making and, specifically, legislation.

The father of this institution in the contemporary age is probably Robert Dahl, my predecessor at Yale who coined the phrase “mini-populus” in *Democracy and Its Critics* 1989 to refer to a body of randomly selected citizens that would look like a “miniature portrait of the source population.” In France and Europe more generally, the revival can be traced to the seminal book by Bernard Manin, *The Principles of Representative Government*, who asked the provoking question: how come we call ourselves democrats and yet not use lot? In recent years, the jury model has formed the heart of many political scientists’ proposals to revive democracy. For instance, Alex Guerrero’s 2025 book *Lottocracy* defends a system of governance entirely run through around 20 SILS (single-issue legislatures based on lot). John Gastil and Erik Olin Wright (Legislature by Lot) propose a hybrid bicameral model with lot-based legislatures while my own model, which I have called “Open Democracy,” centers a lot-based assembly of representatives paired with direct democracy mechanisms.

This model has historical precedents, including Classical Athens’ Council of 500, which was selected based on a form of stratified random sampling among the 50 Athenian tribes via an instrument called the Kleroterion. Its function was to set the agenda for the People’s Assembly but sometimes it was given “kyrios” (final say/sovereignty) to actually decide on certain things. Another precedent from the Greek time are the Nomothetai (law-makers) who were created in the 4th century as assemblies of (randomly selected) legislators.

Another independent historical precedent is the criminal jury, a practice born in England (perhaps copied from the Normans) that travelled to the US and from then on to the world. Tocqueville famously underscored that the jury, criminal but also civil, constitutes a pillar of American democracy and democratic education. Note that contrary to popular belief, criminal juries are not simply about establishing the facts. They also a minimally normative, indeed legislative power, at least according to scholars like Jeffrey Abramson, who point to jury nullification as an example of such a legislative power. *Jury nullification occurs when a jury returns a Not Guilty verdict even though jurors believe beyond reasonable doubt that the defendant has broken the law.* Because the Not Guilty verdict cannot be overturned, and because the jurors cannot be punished for their verdict, the jurors effectively nullify the law in that particular case.

What is attractive about the jury model of democracy? In my own work I have argued that one of the key advantages of jury-like bodies is that they bring to power a demographically representative sample of the source population in a way that minimizes the possible blindspots of legislators. In this process, the jury equips citizens with a maximum amount of that collective wisdom Du Bois talked about, and thus maximizes the chances of good governance overall. Others have argued that lot-based representation best expresses political equality or that it can realize freedom and achieve solidarity. Lot-based representation also arguably minimizes the danger of capture and corruption by interest groups.

Unlike the market model and like the forum model, this model also takes seriously citizens’ ability to change their minds in response to reasons. Unlike the forum model, however, it gives real agency to the citizen qua citizen in that besides reasoning and deliberating about policies made by a class of professional politicians (elected representatives), ordinary citizens are also empowered as decision-makers. The decision is not by all citizens at once, but by a representative sample of them that

frequently rotates. In other words, in the model of the jury, the citizen is neither mere consumer nor idle talker. Instead, she is a decision-maker and, specifically, a legislator.

While there is to date no democracy that is primarily structured by the jury model, we have examples of empowered jury-like bodies beyond actual criminal and civil juries. Among existing mini-publics, however, there is a range, from the least empowered to the most empowered. For example, Jim Fishkin's deliberative polls are among the least empowered. They are scientific deliberative samples that help governments and corporations like Meta learn more about the views of their constituents but they are not really meant to turn citizens into political agents.

Most citizens' assemblies stand a step above deliberative polls but their role remains purely advisory. While they can contribute to shaping a conversation, they don't have the power to initiate legislative proposals nor can they decide anything. A good example is the recent French Citizens' Convention on End of Life, whose recommendations to legalize assisted dying under conditions were presented as just "one voice among many."

Among the more empowered bodies are the Irish assemblies, which set the agenda for a legalization of marriage equality in 2012 and the decriminalization of abortion in 2016. Another example is the Ostbelgien Model of a citizen jury of 24 members, which, since 2018, has the power to place questions on the agenda of the elected local assembly and convene three citizens' assemblies per year.

The most formally empowered citizens' assembly to date, to my mind, was the 2019-20 French Citizens' Convention for Climate. This process outsourced to 150 random citizens the legislative prerogative of the Prime Minister's office. This Convention was literally tasked with preparing "legislative measures" with the government. President Macron further promised to implement their recommendations "without

filter," placing them in what they thought was a position of de facto legislators.

Are there limits to the jury model the same way that there are limits to the market and the forum models? Probably. Like the forum model, the jury model can be accused of downplaying the conflictual and agonistic nature of politics, specifically the need for adjudicating between incommensurable preferences or ideological worldviews. Supporters of the market and forum models, which both remain attached to electoral politics, may worry about the lack of electoral accountability mechanisms in the jury model.

So now that we have these three models, what do we do about them? I tend to think the third model is, on net, the better one and if we were to start from scratch that is the one I would recommend implementing over the other two. It makes room for reason-giving and an orientation towards the common good. It takes seriously the citizen not just as a consumer and a talker but a decision-maker and indeed a legislator. Nevertheless, we are not starting from scratch in most cases and so it might be that the best path is a form of institutional hybridization.

The general shape of the solution might be to keep elections (the market model) operating on the background of a free and open public sphere (forum model) but start introducing structured, empowered citizens' assemblies (the jury model) at all levels of the polity. We could possibly articulate this hybridization through a bicameral system. Various proposals have been made in that style, with for example a permanent citizens' assembly playing the role of veto-player to an elected chamber (that is the proposal by John Gastil and the late Erik Olin Wright in *Legislature by Lot*). Another division of labor could take place between an elected assembly and a randomly selected one with different legislative jurisdictions so to speak. The citizen legislature would be in charge of the rules of the game for example (redistricting, electoral rules, etc.) or some

specific issue like environmental sustainability. The goal would consist in finding some kind of permanent equilibrium between the two chambers, unless it turns out that the authority of the randomly selected chamber eventually causes the elected chamber to become minoritized.

In practice, however, this articulation faces challenges because it requires constitutional changes that are not likely forthcoming. The more likely outcome is participation-washing (the instrumentalization of the jury model to bolster the market model); and resistance by beneficiaries of the market and forum models (elected politicians and elites?). That is why sometimes I wonder whether it would not be better for countries that are currently transitioning from autocracies to democracy to leapfrog the electoral stage altogether. Maybe China one day will come to see that the jury model is a form of democracy that they could get behind (though there seems little evidence that they are interested in transitioning away from autocracy at the moment).

Another place where the market model of democracy could potentially be bypassed altogether is the corporation. Corporations are economic organizations currently run like dictatorships or at best oligarchies, even as they are often portrayed as forms of “shareholder democracy” in which the shareholders make all the decisions. The reality is very different. A few C-suite level executives, focused on maximizing profit at any cost, actually hold all the power and makes decisions that sometimes go against the preferences of their shareholders. Corporations arguably cause great damage to the social and environmental fabric to which they belong in part because of this undemocratic governance. Since shareholders do not have good representation in the current system, one suggestion is thus to explore the potential of the jury model for corporate governance reform.

My current work with economists Luigi Zingale (Harvard University) and Oliver Hart (University of Chicago Booth

School of Business) explores this possibility in the context of investment funds like Vanguard, Blackrock, or State Street, which are technically client-owned. In these funds, which due to their size wield enormous power over the economy, management often face investment decisions with momentous moral and political implications: should they keep investing in Russian companies, even as the Ukraine war unfolds? Should they move away from fossil fuel companies? Should they go all in companies that sell addictive products like tobacco or junk food, because they are so immensely profitable? Management does not always adjudicate these questions based on profitability. But even if they did that might not be what the shareholders, the people on whose behalf they make decisions, would want them to do. In order to clarify shareholders’ preferences and investment trade-offs, including value-laden ones, we suggest complementing the current oligarchic governance structure with what we call “investor assemblies” namely assemblies of investors selected at random with a stratification based on the amount of invested money. These assemblies could convene once a year to review or generate investment guidelines that would constrain the managers of the funds going forward (and consequently would shape the business strategy of many of the firms in which the funds are invested).

This idea is currently being tested in the UK with a pension fund called Nest.

Of course, the next frontier will be to involve other stakeholders than shareholders alone. For instance, workers, who have a stake in the firm because of the labor they provide and the firm-specific skills they develop. This is not the place for such an argument but the jury model could play an instrumental role in giving workers a voice in the corporate world.

There is much more that could be said but I hope this typology of models and the set of questions it invites can be useful to

all of you as we try to shore up our systems and prevent our democracies from backsliding any further. What these three models suggest, ultimately, is that there is not one single institutional or final blueprint for democracy. Democracy is an open-ended project of citizen inclusion and empowerment that we can only hope to perfect through constant experimentation and rethinking.

Thank you.

PROF. HÉLÈNE LANDEMORE



Hélène Landemore is a professor of political science at Yale University with a specialization in political theory. Her research and teaching interests include, among other things, democratic theory, political epistemology, and the ethics and politics of artificial intelligence. She is also a fellow at the Ethics in AI Institute at the University of Oxford, and an advisor to the Democratic Inputs to AI program at OpenAI. She served on the Governance Committee of the most recent French Citizens' Convention and is currently undertaking work supported by Schmidt Futures through the AI2050 program.

