

The Epistemic Case for Federalism: A Framework and Critical Analysis

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Philosophers of federalism and political epistemologists address common issues and face similar burdens in establishing their claims. Yet federalism studies and political epistemology rarely intersect, leaving core concepts in each undeveloped and core questions unaddressed. This work demonstrates the value of treating them together. It synthesizes prior work in both fields to specify and evaluate leading epistemic arguments for decentralization and federalism. It thereby provides a taxonomy of the leading epistemic arguments, motivates a new research agenda on the epistemic aspects of decentralization and federalism, and introduces tools previously unknown to federal studies that one can fruitfully use to pursue that agenda. It also provides substantive insights into how epistemic considerations implicate the legitimacy of decentralized or federal governance. It finds that each leading epistemic argument for decentralization comes with significant epistemic trade-offs, and even the best ones do not strongly support federalism. Any justification for federalism is, accordingly, likely to be non-epistemic.

Key words: political epistemology; federalism; authority; legitimacy; competence.

Introduction

Many arguments for decentralization and federalism appeal to their epistemic benefits.¹ Note, for example, arguments that decentralized governance permits decision-makers to better leverage the benefits of local knowledge or can incentivize policy experiments that generate better decisions. Such arguments for decentralization need not entail arguments for federalism: while all federal systems involve a measure of decentralization, the amount of decentralization differs considerably across federal states and not all decentralized systems are federal. Nevertheless, similar epistemic considerations are also raised to specifically support federalism.

Publius: The Journal of Federalism, 1–38

<https://doi.org/10.1093/publius/pjaf057>

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The distinct domains of authority provided to provinces or other substate entities in federal systems may, for instance, provide them with distinct opportunities and incentivizes to experiment without worrying about federal interference. The prevalence of such epistemic arguments in popular discourse risks masking the difficulties of establishing successful versions thereof. Epistemic claims about the value of decentralization or federalism are, for example, difficult to judge absent a theory of the epistemic goods that decentralization or federalism should provide. Consider, again, the appeals to the value of local knowledge. It is hard to identify a standard for what it means to have more politically relevant knowledge or more local knowledge, let alone a combination thereof. This calls for scrutiny of the epistemic case for federalism. Important works (cited below) discuss particular epistemic arguments for decentralization or federalism. Yet few explore the variety of epistemic arguments or the different ways one can interpret each. Fewer still cleanly separate epistemic arguments for decentralization and epistemic arguments for federalism or explore how they may diverge. A thorough analysis of the various ways epistemic considerations could support decentralization or federalism accordingly remains lacking. This work supplies that analysis.

First, I provide background information and explain how to identify epistemic arguments for decentralization or federalism. Next, I taxonomize the leading arguments and use tools from political epistemology, the field devoted to how concepts like knowledge and understanding implicate legitimacy, to specify leading examples.² I thereby identify the epistemic goods relevant to evaluating modes of governance and the roles they may play in justifying decentralization or federalism. I also introduce tools previously unknown to federal theory for evaluating epistemic arguments for decentralization or federalism. Then, I evaluate the leading arguments. I thereby provide substantive insights and establish a research agenda on the epistemic dimensions of decentralization and federalism. Finally, I summarize and provide comments on my key findings and discuss their significance for future work.

Analyses below establish that even the best arguments for decentralization present epistemic trade-offs and do not strongly support federalism. Genuinely epistemic arguments for decentralization rely on its purported ability to produce, leverage, or incentivize local knowledge possession, experiments, learning, participation, deliberation, or diversity. But decentralization does not guarantee the production or appropriate processing of relevant information and can produce irrationalities or fail to leverage nonlocal knowledge. Decentralization also cannot guarantee, and can even disincentivize, beneficial experimentation, participation, deliberation, or learning. It often fosters forms of homogeneity that undermine diversity-based epistemic goods. Where decentralization is epistemically beneficial, federalism remains unnecessary and removes checks on epistemic errors that are available in nonfederal decentralized states where it is easier to reverse decentralization that has gone (epistemically) awry.

Successful justificatory arguments for federalism are thus likely to be non-epistemic and must accept federalism's epistemic costs.

Preliminaries

The following demonstrates the utility of examining federalism and political epistemology together. Philosophers of federalism do not yet possess a shared language for discussing epistemic arguments. Political epistemology provides a set of tools for analysis. The tools are fit for purpose given the similar concepts, concerns, and standards in federal theory and political epistemology. Scholars in each field answer similar questions concerning which forms of government to adopt and how to allocate final decision-making authority within countries (be it at the federal, state, or municipal level or to a president, legislature, or voting public).³ They face similar burdens in establishing their claims and appeal to the same figures when trying to meet them.⁴ Federalism scholars rarely examine how to measure federalism's epistemic benefits or address federalism's possible epistemic trade-offs, and political epistemologists rarely discuss federalism.⁵ However, placing them in conversation is fruitful.

Analyses of epistemic arguments for federalism must address what makes an argument *epistemic* and what makes it an argument *for federalism*. Weinstock (2001, 75), for example, distinguishes purely instrumental arguments for federalism focused on solving practical issues and normative arguments focused on "the values that ... [federalism] makes achievable, and on its contribution to promotion of the common good." Weinstock then identifies normative arguments tied to protecting liberty, active citizen participation, and democratic considerations, respectively. Further arguments for federalism highlight its ability to balance needs for state unity and diversity, manage pluralism, protect minority interests or manage diverse populations, and secure peace.⁶ Epistemic considerations feature in versions of most argument-types.⁷ Yet few specify which considerations are germane when or why they are relevant.⁸ Whether arguments are meant to be primarily epistemic is often unclear.

To carry out the analyses below, we need a method for identifying which arguments are epistemic. Bare appeals to political epistemology remain insufficient where the field lacks an agreed-upon self-conception. Per Edenberg and Hannon (2021, 1), "the term 'political epistemology' only recently entered the academic lexicon and it does not yet point to a clear set of research questions or core topics." Leading texts note that political epistemology analyzes relationships between epistemic and political concerns but eschew strict definitions of what qualifies as epistemic, instead focusing on representative topics, like political biases and irrationalities; misinformation; disagreement and polarization; and whether democracy is epistemically justified (*id.*; Hannon and de Ridder 2021; Hannon and Edenberg 2023). This issue-specific approach cannot fully distinguish epistemic and non-epistemic arguments. Political epistemology

addresses questions from “Is democracy legitimate?” to “What is the role of truth in politics?” to “Can lack of knowledge undermine one’s right to vote?” Numerous epistemic goods (knowledge, expertise, etc.) are invoked to answer each. Deeming any argument that appeals to one of these goods as “epistemic” without reference to which epistemic concepts are relevant to legitimacy risks rendering political epistemology otiose.⁹

Happily, a competence-based approach can resolve these issues. Political epistemologists and federal theorists each invoke competence-based evaluative standards.¹⁰ Competence thus provides a common standard of evaluation. Competence, too, admits variety. It could refer to everything from an individual’s ability to make unbiased decisions to a legislature’s ability to select beneficial policies. However, the concept’s diversity does not render it useless. “Competence” generally refers to the ability to process relevant information to affect desirable outcomes.¹¹ Arguments can thus qualify as epistemic here if they state that a mode of governance (federalism, devolution, etc.) or allocation of authority (to a state, municipality, etc. or president, legislature, etc.) is preferable to others due to its ability to make it more likely that decisions will be made by those who possess and can process relevant information to affect better outcomes (along a specified outcome matrix). This understanding of what it means for an argument to be epistemic provides a basic evaluative starting point. I address variants and complications when applying competence standards below.

This approach not only provides evaluative standards sourced in practices in political epistemology and federal studies but also distinguishes epistemic and non-epistemic arguments for federalism. For example, arguments based on federalism’s structural bulwarks against external or internal threats (e.g., [Riker 1964](#); [Levy 2007](#)), promotion of liberty (*id.*), or the ability to foster peace (e.g., [Keil and Alber 2021](#)) are non-epistemic here.¹² [Elazar’s \(1987, 11\)](#) argument that federalism resolves conflicts between historical covenantal peoples and [Feeley and Rubin’s \(2008\)](#) argument that federalism addresses the tragedy of conflicting identities in a locality likewise appear non-epistemic. Individual authors make both epistemic and non-epistemic arguments. [Elazar \(1987\)](#), for example, also appeals to federalism’s ability to leverage local capacities, plausibly including local knowledge. Per [Derthick](#), federalism can be a practical response to questions concerning the optimal number of communities in a jurisdiction ([2001, 9–10](#)) and a desirable means of leveraging local knowledge under federal oversight ([1970](#)). However, I am less concerned here with classifying authors as epistemic or non-epistemic than with classifying argument-types.¹³

The next question concerns what qualifies as an argument *for federalism*. Federalism here is a method of allocating final decision-making authority over subjects (e.g., crime, health care) in a governance unit (e.g., country) whereby at least two entities (federal governments, provinces, cities, etc.) each possess final decision-making “powers” over at least one subject.¹⁴ The United States of America

(US), Germany, and Australia are examples of states that adopt federalism so-defined. Unitary governance, by contrast, provides one entity with all final decision-making authority. France is a paradigmatic case of unitary governance. Arguments for federalism must also establish that it is preferable to other forms of decentralization (Levy 2007; Feeley and Rubin 2008). Nonfederal decentralization includes devolution, in which a central government grants decision-making powers to other bodies but can revoke them (as in the United Kingdom of Great Britain and Northern Ireland [UK]), and subsidiarity, the presumption that decisions will be made at the most “local” level possible.¹⁵ Federalism, in other words, can be distinguished from both unitary governance and nonfederal forms of decentralized governance through its provision of distinct domains of authority for different levels of government in which no other level can interfere or replace their own decisions. These ideal-type working definitions are likely to be controversial. Some forms of each are likely more epistemically valuable than others, complicating attempts to establish general claims. However, the working definitions also model basic features of the real institutions at issue.

Specifying the leading epistemic arguments

With these distinctions in mind, I can specify leading epistemic arguments. Each admits variants and could be the subject of an article. Given this work’s taxonomic and agenda-setting goals, this section provides high-level, plain language overviews of each that can be groundwork for further research. I predominantly examine arguments that federalism addresses defects (e.g., voter irrationalities in regular representative democracy) in or is otherwise epistemically superior to alternatives.¹⁶ Epistemic concerns are also raised to support decentralization (generally and within federal states) and nonfederal versions thereof, like devolution. One may accordingly worry that the following does not cover arguments *for federalism*. Even if arguments for decentralization and arguments for federalism sometimes run together, they are not identical. To address this concern, each subsection examines how epistemic considerations could justify decentralization generally and federalism particularly. This dual consideration provides insights that would be beneficial even if, counterfactually, few argued *for federalism* on epistemic grounds¹⁷: establishing that many arguments for decentralization do not justify federalism and that even the best epistemic arguments present trade-offs should inform future analyses. This actually underlines the fact that an argument for decentralization need not be an argument for federalism. One could also, admittedly, run some arguments below without political epistemology terms. But political epistemology provides a common language of evaluation that helps identify genuinely epistemic arguments, assess their various forms, and address

their limits. The following thus provides proof of concept for the proposed research agenda.

Local knowledge arguments

The first species of arguments points to the value of “local” knowledge. Residents of a municipality are, for example, more likely to know about local traditions that increase traffic during a period or backroads likely to render residents’ use of a proposed toll road less likely. Such knowledge is relevant for road placement decisions. A robust body thereof could make municipalities better decision-makers, particularly if it implicates how policies will operate, as when resident non-usage would make toll-based road funding economically infeasible.

Immediate questions highlight the variety of possible local knowledge arguments. One concerns *who* must possess relevant knowledge. Political epistemologists distinguish individual and group competence (see, e.g., [Goodin and Spiekermann 2018](#)). They are variously concerned with the competence of individual voters, individual political decision-makers, group electorates, group decision-makers (viz., legislatures), and “the government” as a whole.¹⁸ Local knowledge-based arguments could focus on knowledge bases at each level. Political epistemologists also offer differing accounts of the relationship between individual and group competence and the proper target of evaluation. On some accounts, individual voters must possess relevant information to make competent decisions and for their representatives’ decisions to qualify as legitimate. Incompetent voters will not select correct policies or representatives supporting the same. They are also unlikely to hold final decision-makers to account. Voters lacking basic information about who possesses authority over roads and how existing policies impacted traffic conditions are unlikely to be able to identify substantively justified road policies, select representatives who will select them on voters’ behalf, or penalize representatives that fail to do so. [Somin \(2016, 140–41\)](#), for example, persuasively argues that individual competence can lead to institutional incompetence.¹⁹ On other accounts, only the final decision-maker competence matters. Legitimacy depends on “the legislature” or “the government” making correct decisions (see, e.g., [Goodin and Spiekermann 2018, 313](#)). Local knowledge may be necessary to avoid poor choices by individuals or groups. Many will (plausibly) hold that group entities are unlikely to avoid poor choices—or select acceptable ones—if they are not alive to local conditions.

Another question concerns *which kinds* of knowledge are relevant. One can distinguish knowledge about local circumstances, like road conditions and usage, from knowledge about local values, such as preferences for environmental policies that minimize car use. Questions remain concerning which knowledge-types qualify as “local” and how to weigh their value. Roads connect communities. Which dimensions count as local is contestable. Federal or state officials may then possess

expertise on road construction and broader traffic patterns. One must address whether and when such expertise supports federal or state authority over roads.

A final pressing question concerns *how* local knowledge is relevant to legitimate governance. While appeals to local knowledge have rhetorical value, it is difficult to see why knowledge is relevant when used poorly. Most theories of competence accordingly focus on knowledge processing, rather than possession. Common concerns with voter and decision-maker biases and irrationalities reflect this understanding.²⁰ Relevant epistemic skills, like rational means-ends reasoning, are typically important when and because they lead subjects to meet a correctness threshold.²¹ Competence is, indeed, often defined in terms of an ability to make epistemically justified decisions. Goodin and Spiekermann (2018, 91) define competence as “the tendency to make the correct choice—nothing more, and nothing less.” Competence-based arguments for particular forms of government accordingly must explain how to identify “correct” choices and when particular forms of government are more likely to select them.

This presents variants of the challenges above. One concerns whether outcomes should be judged using objective measures or indexed to local values. Objectivist accounts must identify the policy areas where plausible standards are available. For example, most economists agree that open borders are economically desirable. Yet many communities prefer barring immigration to their locales (see, e.g., Caplan 2012; Somin 2016). Objectivist accounts should determine whether economic standards are suitably “objective” and can trump local preferences. If, by contrast, one indexes standards to community desires, one must identify which desires are relevant. Brennan (2016, 50–51) distinguishes “policy preferences” understood as desires about the “policies and laws” that are in place and “outcome preferences” understood as desired states of affairs. These come apart where, for example, local communities want economic growth *and* anti-immigration policies. Still further questions concern which policy areas are relevant for evaluating different forms of government. Per Estlund (2008, 234–35), for example, competence “on the most important issues could outweigh poor performance on less important matters.” Local preferences may not matter when dealing with high-importance domains, like nuclear policy.

Complete local knowledge arguments must further explain *how* local knowledge makes beneficial decisions more likely. One could, for example, argue that decentralization or federalism makes it more likely that individual voters or decision-makers will possess relevant knowledge. One then owes an account of when and why individuals aware of local values, facts, or features of policy implementation are more likely to make better decisions. Most approaches suggest that decentralization fills gaps in relevant local knowledge, thereby addressing epistemic deficiencies in more centralized forms of governance and producing better outcomes overall. Knowledge of local conditions is, on these approaches,

necessary to implement policies in ways that are likely to produce objectively desirable outcomes. An argument *for federalism* builds on this insight to suggest that federalism allows actors to leverage local knowledge to carry out national goals. Federal governments can identify programs aimed at particular ends while states adapt them to local norms (see, e.g., the classic account in [Derthick 1970, 220](#)).²² Knowledge of backroad usage is, after all, plausibly relevant to affecting desirable traffic decreases. Related arguments suggest that decentralization produces better locally defined outcomes. Decentralization makes local knowledge more salient and thus more likely to feature in decisions. [Lepoutre \(2021, 165\)](#) highlights the value of “facts about the workings of society that one gleans from one’s group-specific experiences of constraints and enablements” and suggests they will be “more salient” to group members and so more likely to feature in their decisions. Decentralization could leverage group-specific insights. Central or federal governments can then provide epistemic “backstops” where localities err.

The salience of local issues and information could even ensure better decision-making. Many information processing errors (e.g., biases, irrationalities) result from a combination of governance complexity and policy complexity.²³ Municipal residents will likely enter debates on local issues with greater knowledge, minimizing the costs necessary for competent participation. Focusing on a problem’s local dimensions also simplifies analysis, limiting incentives to use heuristics. The relative ease of directly engaging with substantive considerations that should guide analysis may further address nonlocal biases and irrationalities (though it is debatable whether such benefits stem from “local knowledge” as such).

Additional arguments suggest that decentralization supports policy preference or subject-weighted outcome-preference realization. Per [Méndez \(2022, 162\)](#), the way “we want to implement a policy is inevitably connected with the way in which we live our daily lives.” Local groups can tailor decisions to preferences about means of securing outcomes. Per [Allard-Tremblay \(2017\)](#), decentralized bodies’ attention to local preferences will produce better results by the lights of those subject to them. Both subject-indexed approaches are consistent with many forms of decentralization. Federalism also safeguards means of ensuring the most important objectives can be fulfilled without being undermined by local variance. If, for example, nuclear policy is too important to admit variety, constitutional federal authority over nuclear policy protects against provincial claims to set their own goals.

Experimental arguments

Experimental arguments focus on two distinct, but related, concepts: individual “experiments in living” and policy experimentation. Those concerned with experiments in living suggest that federalism fosters individual opportunities to pursue different life-paths. They first assume multiple ways of pursuing the good that one cannot discover through reflection alone. It is difficult to know the

implications of strict devotion to studying or gymnastics training before anyone tries it.²⁴ Trying new lifestyles and witnessing others' attempts clarifies what to do (or not) for a good life. Experiments in living can even help identify features of such lives. If, for example, lives devoted solely to study seem impoverished, that challenges claims that only so-called "higher" pleasures are valuable.²⁵ Advocates further note that experiments in living require a culture in which experiments are possible. First movers must be able to pursue diverse life-paths, whether scholar, gymnast, or otherwise. Many lifestyles will not occur to people absent salient examples. Large numbers of second-or-later-generation professionals in high-risk, high-reward fields, like academia, athletics, and the arts, are thus unsurprising.²⁶

Federalism purportedly makes options possible and salient, fostering further experimentation.²⁷ Per [Jewkes \(2016\)](#), for example, universal policies in unitary states make experiments in living less likely by forestalling lifestyles. They also alter the public sphere, making it less likely that public officials who will foster experimentation will arise or succeed. Federalism creates distinct jurisdictions where individuals can experiment, and a different set of officials can create the conditions for and even promote new ways of living.

Scholars have, in turn, long "celebrated federalism as a structure for policy experimentation and innovation" ([Gewirtzman 2015](#), 242). Policy experiments identify "diverse approaches to addressing social problems" and thereby generate "useful information" ([Livermore 2017](#), 646, 648). Federalism purportedly minimizes the risks of unsuccessful policies to one polity while allowing for the movement of successful experiments.²⁸ Individuals can enjoy the fruits of experimental successes, while few will face burdens associated with failures. Where various conceptions of "the good" are available, policy experiments also help individuals pursue distinct conceptions. Diverse regimes (*viz.*, states, regions) pursuing and achieving different ends offer new locations for people with different preferences to move and enjoy their ends.

Useful experiments engender policy learning, decision-making based on "knowledge of past experiences and knowledge-based judgments as to future expectations" ([Bennett and Howlett 1992](#), 278).²⁹ Learning typically requires policy change based on others' experiences (*id.*, 285). Decision-makers should identify policy successes and failures, emulating what works and avoiding what does not, thereby increasing their competence ([Karch 2007](#)). "Vertical" learning occurs when state policies are adopted at the federal level or states adopt federal policies.³⁰ National health care policies in the US and Canada modelling earlier state policy innovations and widespread state adoption of federal model domestic violence legislation in the US are exemplary (see, e.g., [Béland, Medrando, and Rocco 2018](#); [Schiller and Sidorsky 2022](#)).³¹ "Horizontal learning" occurs when states adopt other states' successful experiments. Widespread adoption of Amber Alerts and Indigenous gaming rules across US states qualifies (see, e.g., [Boehmke and](#)

Witmer 2004; Boushey 2010). Policies need not be original to permit learning. “Inventions” without historical precedents and “innovations” that are merely new to a state both offer learning opportunities (Walker 1969; Rose-Ackerman 1980). Experiments can also refine which ends are desirable and thus what qualifies as policy success. If, for example, policies only decrease safety perceptions by over-criminalizing racialized populations, such perceptions are not plausible success metrics.

Decentralized experimentation can also incentivize individual learning and, relatedly, help individuals live in accordance with their self-defined preferences. Per Somin (2016), for example, decentralization is beneficial where it permits individuals to “vote with their feet” and move to jurisdictions with policies they prefer. “Foot voting” not only increases the likelihood of people living in jurisdictions that reflect such policy preferences; it also increases the chances that people will pursue knowledge instrumental to that outcome.³² Somin notes that access to different policy regimes should incentivize individuals to learn more about politics, at least regarding policy areas that would make them more likely to move elsewhere. If one is most concerned with health care, one has incentives to learn about how health care works in many states and can choose whether to move to one with preferable policies. Somin’s arguments appear to support decentralization within federal states. Yet they could extend to support federalism itself if, for example, substate units can only safeguard distinct policy regimes if they possess domains of authority free from interference by others.

Experiments, then, aim to address homogeneity-based deficiencies in unitary governance and identify policies that produce better outcomes overall. Federalism in particular maintains state-level “laboratories” where experiments can occur and purportedly creates incentives to experiment (e.g., Oates 1999, 1132). For example, many believe that individual decision-maker competition for votes (in democratic states) and cross-jurisdictional (viz., state-versus-state) competition for residents and their taxes should incentivize individuals and legislatures to produce better policies.³³ Basic political realities should incentivize decision-makers to produce better outcomes and engage in learning necessary to affect them. If individual legislators or governments learn how to produce desirable outcomes, this line of argument contends, then they will be more likely to maintain voter confidence. If, by contrast, they fail to learn, constituents could support better learners. Federalism further limits experimental risks to experimenting jurisdictions. Experimenters enjoy first mover benefits while learning is cheap for non-experimenters, increasing the chances of beneficial policy adoption and of other, potentially beneficial experiments.

Experiments within federal states may also produce better outcomes. Somin (2016) offered one example. Other examples are defined in terms of objectively valuable outcomes. Competition may, for one, itself foster beneficial policy

outcomes. Grant, for example, the importance of economic development as an overarching policy goal. Weingast and others then offer compelling arguments that federalism can be a useful tool for pursuing that end (Weingast 1995; Qian and Weingast 1997; de Figueiredo, Rui, and Weingast 2005; etc.). Weingast et al.'s market-preserving federalism states that competition between states for residents or commercial investment should incentivize innovation and beneficial policy diffusion likely to protect a functioning economy. A country's economy will be stronger where constituent units unite under a common market. Yet subunits will only be incentivized to beneficially compete if they can benefit from experiments but lack access to a central bank that bails out failures. State lotteries are famously thought to support this competition thesis.³⁴ Weingast et al. highlight many other examples, including from states like China, to support their view.³⁵

Experimental arguments for federalism, then, state that it creates conditions that produce beneficial information and make it more likely that individuals and group policymakers will act on that information to produce better outcomes, defined in terms of subject preferences or objective goods. That is, they suggest federalism promotes individual or group competence.

Participatory or deliberative arguments

Further arguments appeal to the benefits of stakeholder participation. Weinstock (2001, 77), for example, highlights those suggesting that federalism “fosters enlightened and informed democratic participation by situating certain political decisions at a level that is cognitively more accessible to” average citizens. Zimmerman (2024, 1819) notes that states claim to offer “more convenient means for local populations to petition government bodies.”³⁶ It is easier to challenge local decision-makers and thus, plausibly, correct their errors. If local decision-makers prove unresponsive, federal governance also offers distinct levels of democratic participation. One can, for example, formally petition federal and state legislators or, informally, write editorials in national and local papers. Decentralized governance also offers sites for diverse participatory practices. Consider “participatory democracy” practices aimed at improving lay decision-making input, like citizens’ initiatives, petitions, citizens assemblies or juries, “mini-publics,” and deliberative polls (e.g., Chambers 2012; Mansbridge et al. 2012; Gamper 2015, 76–82). Each aims to address deficiencies in non-participatory decision-making and identify better policies. Federalism again provides multiple locations where practices can be adopted and lessons applied (Gamper 2015, 83).

Participation-based arguments only succeed as *epistemic* arguments if participation produces more information or makes it more likely that knowledge will be used to affect better outcomes. Participatory democracy advocates contend that participation is important for broader democratic interests, like ensuring a responsive and responsible government (again, see, e.g., Chambers 2012;

Mansbridge et al. 2012; Gamper 2015).³⁷ Such concerns need not be epistemic: one may state that legitimate governments can “do wrong” so long as their choices are subject to proper citizen oversight. While related epistemic arguments remain available, several possible appeals to participation’s epistemic benefits rely on the success of other epistemic arguments. If, for instance, greater participation is beneficial because it leverages local knowledge or ensures societal diversity necessary to affect better outcomes, then its epistemic merits rely on distinct arguments outlined above and below.

Promising accounts of participation’s *distinct* epistemic benefits appeal to its ability to foster beneficial deliberation that can leverage diverse viewpoints while limiting the chances of suboptimal policy choices. Relevant views largely assume minimum individual competence and suggest deliberation will lead to better-informed, more rational, and substantively preferable decisions.³⁸ If, for example, parties deliberate on how to respond to a pandemic, working together to determine which goals are desirable and how to achieve them, they will be more likely to make a justified decision than they would be if they simply voted for a response without comment. This simple insight leaves open questions about the mechanisms through which deliberation will produce better outcomes. Some believe that deliberation ensures better information is brought to bear on a question. Including local knowledge could, for example, help produce better outcomes. Others believe that different ways of processing information are key to producing better outcomes and that participatory processes can foster and leverage this diversity. Exposing a policy to deliberative processes forces one to address reasons for and against it. Diverse viewpoints maximize the chances that all relevant strengths and weaknesses will be considered before a decision is made (a point that recurs in diversity-based arguments detailed below). Deliberation also provides opportunities to test whether appeals to emotions genuinely support particular views or simply exhibit undue bias. Whatever the mechanism, deliberation is thought to ensure more competent decisions.

Decentralization may foster epistemically beneficial deliberation. Goodin and Spiekermann (2018, 317) state that smaller groups present opportunities “to deliberate in a way that is unlikely in a larger group” and for rational information processing. They further suggest that smaller groups can attenuate risks of individual competence failure by limiting policy options and help set an agenda for larger groups to consider. Allard-Tremblay (2017) suggests that deliberation within federal boundaries will produce better results by the lights of those subject to them. Other deliberative democrats contend that better deliberative flow can address epistemic failures (Buchanan 2004; Méndez 2022, 163). Local entities working on a smaller number of policy options could increase knowledge of each option. Sharing any knowledge gained is then easier due to proximity or the smaller size of the community in which it is to be distributed. This favors decentralization and may

favor federalism as a means of instantiating epistemically beneficial decentralization. Combining decentralization or federalism with other participatory mechanisms could produce similar results. If, for example, citizen polling ensures decisions reflect citizen preferences, polling local populations where their preferences mark relevant outcome metrics looks promising. Several decentralized governance forms also permit polling broader populations as appropriate.

Diversity or aggregation arguments

Related arguments appeal to the epistemic value of diversity. Many believe that a suitably diverse group of people of a sufficient size will be epistemically superior to average or even expert members thereof. Decentralization could foster the diversity necessary for such group competence, limiting the effects of individual bias and irrationalities to produce superior outcomes.

Two aggregation results in political science and economics support diversity claims. The first, the Condorcet or “wisdom of crowds” result, holds that the combined knowledge of a group of people who are minimally competent, diverse, and independent will inevitably lead the collective to make correct decisions (or, minimally, make those decisions very likely).³⁹ Per the law of large numbers, aggregating votes by a sufficiently large collection of competent voters will eventually lead one to select correct outcomes. Parties need not interact to produce this result. Indeed, interaction can undermine the independence of parties needed for it to obtain. People discussing whether to adopt a policy can influence each other in ways that decrease the likelihood that each will support optimal outcomes, potentially converging on a problematic one. A charismatic anti-immigration advocate can make others less likely to choose economically sound open border policies, even where they value economic growth.

The second, “diversity trumps ability” result (henceforth diversity result) states that a larger group with lower individual member competence but distinct perspectives on the world can perform better than a smaller number of experts with a shared perspective (see, e.g., [Landemore 2012a, b](#); [Kuehn 2017](#); [Grim et al. 2020](#)).⁴⁰ Deliberation among diverse people can make up for individual predictive or problem-solving deficits; when one approach falters, another approach can be used to work toward a solution. Public health experts with a similar profile will, for example, likely rely on well-established public health practices but may fail to appreciate their socioeconomic consequences.⁴¹ More diverse groups will, advocates claim, identify a wider range of possible responses and strengths and weaknesses.

Diversity and aggregation arguments are often taken to promote large-scale decision-making bodies, with decentralization being a second-best concession to practical realities (e.g., [Landemore 2012a, b](#)).⁴² Yet scholars point to ways in which Condorcet plausibly supports decentralization that are telling for diversity- and aggregation-based views generally. [Estlund \(2008, 223\)](#), for example, notes that if

assumptions underlying the Condorcet result hold, then the result should obtain in a “moderately-sized town”: a sufficiently diverse and independent set of voters at the municipal level will at least be disposed to reach correct conclusions. If aggregation works for smaller entities, decentralization, if not full federalism, should at least be permissible. Others suggest that standards of correct decision-making must focus on local needs. Allard-Tremblay (2017, 695), for example, tailors his outcome-based competence standard to stated preferences of people in a region. If competence requires local knowledge, federalism maximizes the chances that people will have better than average competence across relevant domains.⁴³ Where federalism operates with groups of sufficient size for aggregation to work optimally, it should additionally produce better outcomes overall (at least where suitable diversity remains).

The diversity result is likewise often raised to support larger democratic communities but could support decentralization. The number of possible worldviews is limited. Diversity accordingly eventually decreases as groups grow. Even the scholar most associated with diversity as a reason for large democratic communities, Landemore (2012b), thus admits that it could work *better* in small groups. Collaborative work by one of the diversity result’s discoverers argues that it supports federalism: distinct groups of representatives at different levels of governments are, apparently, more likely to identify faults in other approaches and so reach correct results over time, especially where each group also “experiments” (Grim et al. 2020). Bednar (2014), in turn, argues that decentralized federalism fosters both the policy experiments above and the “diversity of viewpoints” necessary to judge them.⁴⁴ Federal- and state-level decision-makers are likely to have different profiles and experiences, creating structural diversity that not only fosters better outcomes but permits apt epistemic evaluation.

Diversity results, then, could support decentralization or federalism. However, both major diversity result-based arguments arguably rely on the value of local knowledge or experimentation and so may not be fully distinct from other arguments outlined above.

Evaluating the arguments

Epistemic arguments for decentralization or federalism differ in terms of whose competence is relevant, how to evaluate it, and the mechanisms through which decentralization and federalism are meant to improve it. On closer inspection, some purportedly epistemic arguments rely on non-epistemic goods, like general democratic influence. Some genuinely epistemic arguments rely on the truth of others and so may not be truly independent argument-types. For example, several participatory arguments overlap with local knowledge or experimental ones. Categories above still map the existing literature and provide a useful frame for

evaluating epistemic arguments. The above also identifies common features of genuinely epistemic arguments, including concerns with local knowledge and appeals to the value of learning and diversity, thus providing a useful basis for further analysis. I will now further evaluate the leading epistemic arguments. I will thereby demonstrate that each epistemic argument for decentralization also risks epistemic trade-offs and that federalism is unnecessary to enjoy decentralization's epistemic benefits and introduces distinct concerns.

Local knowledge arguments

Local knowledge arguments must establish that local decision-makers possess relevant information and use it to affect desirable outcomes. The need for metrics presents immediate challenges. Some policy areas offer reasonably uncontroversial examples. Health policies seek longer lives and fewer illnesses. Transportation policies seek to manage traffic. But other policy areas lack such metrics. And even areas with widely accepted metrics present difficulties. Grant, for example, that lockdowns will reduce the spread of a dangerous virus. Reasonable people may disagree on whether associated social isolation and economic losses are a net positive for individual health, let alone all-things-considered desirable.⁴⁵ Decentralization advocates should not be held responsible for resolving general measurement issues. But local knowledge arguments face distinct challenges in identifying which standards local bodies can meet and whether, when, and why local knowledge is necessary to meet them.⁴⁶

Local knowledge arguments for decentralization face conceptual and empirical challenges. Conceptually, for example, advocates must explain when and why local knowledge is weighty enough to justify deviating from general norms. Local preferences alone cannot warrant moving away from what would otherwise be correct decisions in areas like nuclear policy. Acceptable local knowledge views should only permit decentralization outside such areas. But the areas where local knowledge bears on competence in important ways are not always obvious. Even decentralization advocates (e.g., [MacKay and Danis 2016](#), 14) thus grant that local knowledge alone often provides non-decisive guidance on authority allocations.

Local knowledge advocates must further specify *whose* knowledge is valuable when. Concerns about group heterogeneity (e.g., [Hannon 2023](#)) raise distinct concerns. Policies impact people in different ways as members of different groups. Bifurcating authority in ways that favor some groups also favors particular knowledge-types. For example, dividing powers along nationalist lines will reify the knowledge of a majority nation. But minorities in the state also possess knowledge that could be relevant.⁴⁷ No group is likely to possess all the knowledge valuable to all subgroups. Whether one can trust any group to further its own interests, let alone be aware of how its decisions impact members with intersecting identities, is at best questionable. Where decentralization is desirable, flexible nonfederal forms

of decentralized governance arguably make it easier to ensure decision-makers consider substate minority knowledge or values. Local *homogeneity* presents further challenges. People who live close together are more likely to share characteristics, which correspond to local customs or mores that emerge over time. This increases the salience and, thus the costs, of non-conformity, reinforcing homogeneity (see, e.g., [Levy 2007](#)).⁴⁸ Decentralization can increase the chances of problematic homogeneity. And federalism can make it difficult to offset attendant epistemic costs by ossifying homogeneous groups' powers in a constitution.

Homogeneity risks are likely only increasing over time given demographic sorting. People living closer together tend to think alike in many jurisdictions (e.g., [Levy 2014](#)). People in cities tend to have similar ideologies and policy preferences; those in rural communities share a different set of ideologies and policy preferences (e.g., [Rodden 2019](#)). Any given city or rural community is less likely to be diverse. Sorting into liberal and conservative localities exacerbates these concerns, creating communities where people often already see the world in the same way and share the same views. Homogeneity also makes it less likely that elected officials will select correct but unpopular policies or that a brilliant leader will arise in a given state. Costs of deviating from policy preferences are much higher for any official relying on the support of a homogeneous group. A leader who could best fulfil outcome preferences at the expense of fulfilling policy preferences is unlikely to do so where a homogeneous electoral group has stable policy preferences. Legislators in Idaho may have a different profile than those in Washington, D.C. But if Idaho's legislators remain homogeneous and share the profile of legislators in Montana and Wyoming, policy heterogeneity will be attenuated.⁴⁹

Empirically, in turn, it is natural to assume that individuals know more about local matters and that such knowledge permits them to better contribute to local decision-making. However, it is hard to measure whether people know more about national or local matters ([Somin 2016](#), 49). Existing evidence suggests that people do not know more about local politics. Contrary to [Lepoutre \(2021\)](#)'s predictions, national politics tend to be more salient. People tend to care less about local matters and lack strong feelings about federalism as such, instead caring only when federalism implicates substantive desires ([McGinnis and Somin 2004](#)).⁵⁰ Present political conditions present further complications. For example, media consolidation in many countries makes local knowledge less likely: a given voter is more likely to hear about national personnel, where even "local" news is run by national media conglomerations packaging stories.⁵¹ Whether such factors result in less of the relevant kind of information remains unclear. But contrary claims that "local" voters will have more information lack support.

Evidence that local individual decision-makers are more competent is likewise deficient. There is little evidence that they make better choices on objective or subjective metrics. The smaller population base from which substate governments

draw decision-makers instead lowers the chances that any particular legislator will consistently make correct decisions across a range of subjects or issues. That legislator may be better placed to incorporate local knowledge. But local knowledge is not always relevant. And local actors are not always better able to leverage relevant knowledge to make correct decisions. Legislators are subject to the same pressures as individual voters. Many suffer from the same bias or irrationalities.⁵² Considerations above and below suggest local conditions present distinct threats thereof.

Many forms of decentralization also make individual political competence more difficult to obtain. Information about local norms is not the only information relevant to competence. Most accounts of the knowledge necessary to be competent do not focus on specialized information, like expert knowledge of agriculture or how policies differ “on the ground” in Boise. They instead focus on political basics, “relatively uncontroversial platitudes” (Brennan 2016, 162) and everyday “garden truths” (Goodin and Spiekermann 2018, 11), like the name of one’s congressperson.⁵³ Specialized information is important when connected to these basics. For instance, standard views of individual competence do not require knowledge of the intricacies of agricultural policy. They instead require that one know who is responsible for agricultural policy, what they have done in the past, what they are likely to do in the future, and how these relate to their intended ends. Decentralized governance makes the broader information sets necessary for competence harder to obtain. Complexity, again, makes individual political competence less likely. Modes of governance with distinct jurisdictional domains, like federalism, create a broader ecosystem of decision-makers and their powers. They thereby raise competence standards: one must now know more about who occupies which roles at which levels and their competences.⁵⁴ These additional informational burdens could be offset if decentralization offered easier access to or made people more likely to seek relevant information. Yet the need for counterweights would remain an epistemic cost, and scholars offer surprisingly minimal evidence of relevant counterweights.⁵⁵ Flexible forms of subsidiarity then make it nearly impossible to identify who will possess authority over time.⁵⁶

These considerations suggest that the best local knowledge-based arguments also present epistemic trade-offs. If these concerns prove surmountable, federalism advocates still must establish that it is preferable to other forms of decentralization. Local knowledge can ground claims to some decision-making authority without grounding claims to final decision-making authority. Where local knowledge is important but cannot ground a full claim to authority, even unitary states may take it into account. Letting provinces set distinct health care policies while federal governments ensure uniformity in nuclear policy may strike an appropriate balance. But the general idea that one should leverage local knowledge while remaining cognizant of its limitations does not obviously favor federalism over

other decentralized governance forms. Devolved authority in unitary states remains a form of decentralization in which decisions can be tailored to local needs with a central backstop: local bodies can account for relevant local knowledge while central governments retain formal authority to substitute decisions where necessary for clearly better outcomes. Such backstops can be desirable even in areas where variety is generally acceptable, like health care. But federalism is partially defined by its bar on federal backstops in areas of exclusive provincial authority.

Indexing competence to local preferences cannot avoid this result. Where competence is indexed to local preferences and federalism ensures those preferences are realized, it is reasonable to believe federalism fosters competence. MacKay and Danis's (2016) argument for health care federalism builds on this reasonable belief. MacKay and Danis argue that states can best address reasonable disagreement about relevant metrics and use local knowledge to fulfill national standards and local desires. This argument is initially compelling. However, it remains difficult to determine when standards should be indexed to local norms or when substate units are most likely to meet subject-oriented competence standards. Substate units do not, for example, obviously fare better in health care.⁵⁷ And federalism may not even provide opportunities to address local preferences absent means of citizenship participation or evidence that local decision-makers are attuned to lay interests.⁵⁸ Whether and when particular entities are more likely to have relevant knowledge or be more responsive to local needs also appears likely to shift over time, favoring more flexible forms of decentralization (subject to caveats above). If, in short, local groups lack stable epistemic superiority in a domain over time, constitutionalizing a federal division of powers will have epistemic costs.

Experimental arguments

Experimental arguments raise at least three questions: (1) Do local entities experiment? (2) Do they learn from experiments? and (3) What form of government best fosters learning?

One cannot, first, deny that policy experiments occur in decentralized states. Competition between states *does* lead to policy learning. One can add anti-smoking policies in the US (Shipan and Volden 2008) to a list of examples including the aforementioned Amber Alert and gaming policies. However, many state-level policy "experiments" do not have local origins. Many US states, for example, lack the capacity to experiment. Short legislative sessions and low pay for nonprofessional state legislators undermine their ability to study policy options, let alone innovate (Boushey 2010, 170n1; Shipan and Volden 2021, 58; Tyler and Gerken 2022; etc.).⁵⁹ The US federal government then conditions many state policies. Federal agencies not only draft model state laws and advise state officials on proposed legislation but also directly write some state laws; some agencies have special divisions devoted to working with states (Grumbach 2022; Zimmerman 2024, 1802, 1806–1807).

Some scholars (including [Zimmerman 2024](#)) consider this appropriate: federal governments bolster state legislative capacity while states retain formal powers to pass legislation contrary to federal desires. But concerns with states being federal “proxies” date to at least the 1970s.⁶⁰ They still provide reason to question whether and when states themselves experiment. For instance, federal leadership often frames state legislative agendas and debates in ways that make some choices more likely and limit deliberation on alternatives ([Fahey 2015](#), 1607).⁶¹ Other initiatives originate with non-state policy entrepreneurs ([Karch 2007](#), 66–67). Entrepreneur-led diffusion tends to favor well-moneyed entities, supporting elite views that may not track local needs.⁶²

Many states, in fact, lack incentives for innovative experiments. I understand assumptions that political leaders have incentives to innovate and create conditions where policies match individual preferences. Politicians seem more likely to have a support base if they create conditions that the population desires. Substate legislators should, accordingly, learn how to bring about desirable outcomes and experiment in ways that make such outcomes more likely.⁶³ Appeals to competition-based incentives above are also plausible.⁶⁴ Yet learning costs can overwhelm these incentives. Incumbents are more likely to win regardless of whether they experiment ([Grumbach 2022](#), 199). Federal complexity “makes it difficult to know which politicians to reward or punish for their performance” (*id.*). If innovations are expensive and people are unlikely to credit you for “wins” when you experiment, you have little reason to innovate, particularly where you can easily free-ride on positive experiments elsewhere ([Rose-Ackerman 1980](#); [Rubin and Feeley 1994](#); etc.).

Incentives to innovate may not, in turn, favor rational inquiry. Many experiments in the US resulted from emotionally-charged events. Emotional salience risks irrationalities. For example, widespread adoption of policies concerning the death penalty, low-quality cars, and missing children resulted from public outcry.⁶⁵ Attention, rather than objective need, motivated experimentation. This can lead to emotionally-charged policy failure diffusion. Retributivist policies, like “three strikes” rules, arguably serve as additional examples.⁶⁶

If mechanisms like policy development subsidies can incentivize experimentation ([Oates 1999](#), 1133), incentives to learn from experiments remain necessary. Evidence of learning is at best mixed. Learning is not the only means of policy diffusion. Many states emulate others with similar geographical features or ideology, rather than evidence of success.⁶⁷ They accordingly adopt failed policies too ([Karch 2007](#); [Boushey 2010](#); [Shipan and Volden 2021](#)). Other changes result from coercion or competition ([Karch 2007](#), 55; [Shipan and Volden 2008, 2021](#)). Policy learning within federal states occurs. Further note widespread horizontal diffusion of well-regarded welfare, children’s health insurance, and anti-drunk

driving policies across the US states or vertical diffusion of expansive health policies in the US and Canada.⁶⁸ Yet diffusion is not solely attributable to policy *learning*, rather than emulation, even in those cases.⁶⁹ And areas where policy learning occurs, like health care, also feature numerous learning failures.⁷⁰ Learning-based policy diffusion is actually less common in complex areas,⁷¹ suggesting an inverse relationship between beneficial policy learning and the need for new policy lessons. Even if one grants that federal governance could secure circumstances where a country is more likely to discover correct results, then, further evidence that countries or their constituent parts learn from experiments remains necessary for policy-based experimental arguments to succeed. Such evidence is presently lacking. While Grumbach (2022, 126–27) highlights evidence suggesting that US states *can* learn from others' experiments in an unbiased manner, Grumbach ultimately finds “[l]ittle relationship between policy success and diffusion.”⁷²

Concerns about whether and when decision-makers will learn persist if concerns above are attributed to superable US-specific issues. General evidence that states learn from policy experiments is limited. Experimental regimes also produce epistemic risks. Recall the reasons for inapt policy migration above. Related concerns with “fast policy” (Peck and Theodore 2015) further undermine beneficial learning. Actors often feel compelled to “do something” absent evidence that “something” will work, or where evidence suggests it will not work. Livermore (2017, 640–42) then notes that experiments produce deliberative information concerning “the means or ends of policy-making from the perspective of social welfare” and political information concerning “ideological preferences or political incentives.” Both present risks. It is not only the case that people may export policies to new areas where comparable results are unlikely. Those who would otherwise promote beneficial policies can also learn that the risks of promoting them are too high, while those who oppose such policies can use information about why they were popular or unpopular elsewhere in campaigns against them, thereby limiting beneficial policy diffusion (*id.*, 659–60). Decentralization can thus both under-produce useful information for resource- and incentivize-based reasons above and overproduce deleterious information that teaches actors how to, for example, polarize electorates (*id.*, 667).⁷³ These evidentiary issues and epistemic risks are not US-specific.⁷⁴

Decentralization could, of course, still foster individual voter competence or create conditions for experiments in living. As a general matter, if decisions-makers do not learn from policy experiments, it is unlikely that laypersons will do so. Yet some epistemic concerns above arguably do not apply to laypersons or individual-focused experimental arguments. For example, nonpoliticians arguably lack the incentives to simply “do something” outlined above. Somin (2016), again, provides good reason to believe decentralized governance will incentivize individual learning

about policies. Moreover, nothing in the preceding suggests that people do not conduct experiments in living. That said, if decentralization does not create diverse policy regimes, this will undermine opportunities for experiments in living and undermine incentives to learn about other regimes. And where decentralization actually fosters individual layperson competence, questions about the need for *federalism* will remain.

Where decentralized policy experiments are beneficial, federalism more broadly appears (at best) unnecessary.⁷⁵ Issues conducting beneficial experiments in unitary states without any non-central-level governance alone cannot establish a case for federalism. After all, modern devolution agreements offer a nonfederal site for broader policy experimentation.⁷⁶ States conforming to the definition of federalism above can, in fact, make implementing the lessons of beneficial policy learning more difficult than it is in, for example, devolution cases where the central government serves as a backstop against problematic substate policymaking. Post-experimental policy differences will often be nonideal from objective outcomes-based perspectives. Federalism, as defined here, depends on local bodies being able to make decisions contrary to what works best. This can, again, lead to more local governments adopting objectively problematic outcomes in emulation cases. And where federalism limits the spread of bad policies, it still establishes a burden on good policy migration that is missing where learning occurs against a central backstop. Getting beneficial policies through state legislatures is especially hard in complex areas.⁷⁷ If knowledge of what “works” comes at the expense of others enjoying it, this should occasion pause.

The preceding more broadly suggests that even the strongest experiment-based epistemic argument for federalism will engender some trade-offs. To wit, competition-based arguments appear less prone to challenge than other epistemic arguments but still present some risks. Note, for example, that some criticisms surrounding biases and irrationalities lodged against local knowledge arguments above arguably do not apply to foot voting arguments. Note further that some foot voting arguments rely on posits from political economy that may survive empirical critiques drawn from jurisdictions where relevant modelling assumptions do not apply. Foot voting-based arguments then appear to provide an exception to the argument at hand. They could combine with (other) competition-based considerations to provide an argument for federalism that avoids many concerns above. However, some trade-offs would likely arise even on a promising version of this argument. At a minimum, this version of a foot voting argument will rely on particular visions of competence and political economy that some will reject. Relying on controversial posits from political economy is not a strictly epistemic cost if those views are true. Relying on particular views of competence tied to matching policy or outcome preferences and policy regimes, by contrast, commits one to a substantive epistemic view that may limit where the arguments can apply. If other forms of competence matter, the epistemic case for federalism will be weakened.

If, in turn, foot voting or other competition-based arguments for federalism rely on the existence of distinct domains of jurisdictional authority,⁷⁸ yet there are some policies that should be universal because they are desirable on any metric, the aforementioned concerns about how federalism can make it more difficult for good policies to spread will arise. Such difficulties may, again, prove acceptable on balance, particularly if individual preference satisfaction is most important. They would remain as trade-offs. Finally, Weingast et al. present compelling evidence that the form of decentralized governance that they discuss can foster beneficial outcomes. Yet they rely on a particular vision of policy “success” that many will reject. And the governance form that they discuss does not qualify as “federal” on the definition at issue. Weingast et al. apply a different definition of “federalism” when developing their arguments; that definition appears to encompass UK-style devolution.⁷⁹ Weingast et al.’s prominent competition-based arguments accordingly do not appear to uniquely support the kind of “federalism” at issue here, their occasional references to the value of distinct domains of authority notwithstanding.⁸⁰

These challenges do not render decentralization or federalism wholly unjustifiable. Experiments have benefits under certain conditions, including decentralized ones. The empirical challenges above do not challenge many conceptual incentive-based claims. [Somin \(2016\)](#), for example, again provides compelling evidence that people will be incentivized to learn about policy in areas that matter most to them where they can move to different jurisdictions. And a lack of free movement across many borders is a defense against remaining empirical challenges to his primarily political economy-based claims. Experiments in living could still occur in federal states. Yet empirical and conceptual challenges above minimally suggest that appeals to *policy* experiments cannot easily establish a case for decentralization or federalism. Such experiments present epistemic risks even in their best cases. Central oversight can address those risks, and the logic of policy experimentation favors forms of policy uniformity that federalism makes more difficult. In addition, if experiments in living require diverse domains where people can experiment, several policy experiments-related issues also implicate those claims: either a lack of distinct jurisdictions undermines possible experiments in living or such experiments can be as easily fostered in non-federal states.

Participatory or deliberative arguments

Several issues with local knowledge and experimental arguments implicate remaining epistemic arguments for federalism, permitting more succinct treatments thereof. Remaining arguments’ distinct characteristics nonetheless demand scrutiny. For example, federalism establishes multiple sites for participation or deliberation. Yet the mere existence of such sites cannot guarantee that any site or combination thereof will increase individual or group competence.⁸¹ And participatory or deliberative processes do not obviously produce better outcomes. Some make

decisions that reflect subjects' policy or outcome preferences *less* likely. Only certain types of people have time to engage in participatory or deliberative processes. A "participatory elitism," favoring those with time, often follows (Chambers 2009, 334). Participatory or deliberative democracy processes can displace other methods of securing democratic influence, including traditional public sphere contestation, thereby foreclosing other opportunities to produce subjectively desirable results (Chambers 2012, 62; Mansbridge et al. 2012, 17; etc.). Those who define competence in terms of an ability to reach objectively desirable outcomes may accept this result. However, even that may only support decentralization in areas with objective metrics, and evidence that relevant processes result in objectively better outcomes is lacking. If, moreover, elites alone can produce better outcomes, the need for broader participation is unclear.

The concerns highlighted above raise particular challenges for epistemic arguments *for decentralization and federalism*. Evidence about the epistemic benefits of deliberation in a "town hall" may not scale to higher (e.g., provincial) levels (Estlund 2008, 187ff). While sophisticated deliberative models (e.g., Lepoutre 2021) move beyond town hall analogies common to early work on deliberative democracy, they have not even tried to establish that discourse is more rational in federal countries. That is acceptable since deliberative democrats need not be federalists. However, it also provides reason to question deliberation-based arguments for federalism. Federalism does not clearly provide more opportunities for *better* deliberation. Facts of contemporary governance suggest that decentralized decision-making may prove especially irrational. Where those involved in politics are more likely to have partisan biases (Brennan 2016), increased political participation via deliberation is unlikely to secure more rational discourse or outcomes. If groups are homogeneous on other dimensions, appeals to diverse knowledge and viewpoints cannot address partisan biases. Local groups are, again, more likely to be homogeneous generally, and demographic sorting that tracks existing biases makes local deliberation or participation even less likely to succeed.

Empirical studies suggest decentralized and federal governance can be compatible with participatory or deliberative democracy (Gamper 2015; Kropp 2015).⁸² They do not establish that combinations generally ensure greater individual voter, decision-maker, or group competence. For example, Breen's (2018) excellent analysis of Nepal's recent constitutional reforms suggests that participatory and deliberative reform processes secured stability by moderating positions and produced a constitution that protected the self-defined interests of those governed.⁸³ Yet Nepal is a consociation, not a federation, and its small size raises questions about whether its results will generalize. Systematic studies suggest that different combinations of decentralization and participatory or deliberative processes are likely to produce different results, belying attempts to reach general conclusions about their interactions (Gamper 2015, 82; Kropp 2015, 61).⁸⁴

Diversity or aggregation arguments

Diversity-based arguments also face general and decentralization- and federalism-specific challenges. When determining whether a mode of governance is desirable, one should ensure one's general modelling assumptions are sound and that the mode does not make it less likely that they will obtain. The Condorcet result, recall, requires that people have above-average individual competence and be epistemically independent. The diversity result then relies on people having distinct ways of looking at the world and helping others who are epistemically "struck." Critics (e.g., [Brennan 2016, 2023](#)) question whether these conditions generally obtain in real countries.

Decentralization presents distinct challenges. Per [Grim et al. \(2020\)](#), for example, democratic representation limits the Condorcet result's force. A representative body has fewer members than the electorate as a whole and is thus less likely to fulfill Condorcet's requirement that a decision-making body have a sufficient number of independent, diverse members. While Grim et al. suggest no such loss occurs for the diversity result they favor, their argument relies on computer simulations that others find problematic; they offer no evidence that new sites of representation improve the chances of reaching optimal results.⁸⁵ Modelling challenges appear even worse for decentralized bodies if and where representatives are less likely to be diverse or suffer from defective incentives, biases, and irrationalities. Challenges to other epistemic arguments for decentralization or federalism thus also undermine diversity arguments by establishing that their basic assumptions are unlikely to apply in real states. Decentralization cannot guarantee, and can even undermine, necessary diversity.

While diversity arguments could still support decentralization and federalism, trade-offs will arise in most decentralized states. Diversity arguments, recall, require that individuals meet some competence threshold. A case for any form of governance that relies on appeals to diversity must also ensure people meet that basic threshold. Consider appeals to cognitive diversity understood as "the existence in a group of different interpretive and predictive models used by individuals to navigate the world" ([Landemore 2012a](#), 5–6). The diversity result holds that "in some contexts, ensuring enough cognitive diversity may offset the lack of brilliant minds in a group" (to use [Landemore 2012a](#), 5–6's phrasing). Yet its discoverers, [Hong and Page \(2012\)](#), state that models also need to be "sophisticated," where sophistication is a feature of individuals and requisite standards require that they be "smart." This minimally produces an epistemic trade-off: "Homogenous crowds can be accurate only if they contain extremely sophisticated individuals, and groups of naïve individuals can be collectively accurate only if they possess great diversity" (*id.*, 57). Hong and Page also discuss the need for a "combination" (*id.*) of intelligence and diversity. Complete diversity-based arguments for any form of governance should accordingly acknowledge

trade-offs and must explain which trade-offs are acceptable when and how the form ensures requisite diversity *and* knowledge.

If, in turn, the relevant kind of diversity can be fostered in very small groups, this does not obviously support *any* form of governance. Grant that the diversity underlying the Condorcet result can be achieved in a moderately-sized town. Further grant that there are a limited number of worldviews. Cognitive differences undergirding the diversity result can then be fostered in that town. In fact, additional people will not add diversity, rendering larger polities unnecessary. These concessions only establish that federalism and decentralization are no worse than alternatives. Homogeneity along other dimensions would not fully undermine these diversity-based epistemic gains. But other factors will need to epistemically distinguish governance types. For instance, even if federalism alone did not undermine the relevant type of diversity, it could require *more* diversity if increased complexity or other forms of homogeneity produced fewer “smart” individual voters. Trade-offs remain pertinent.

Conclusions

The preceding identified burdens for successful epistemic arguments for any form of governance. It then distinguished epistemic and non-epistemic arguments and identified four families of epistemic arguments for decentralization or federalism. Evaluating those arguments established a general conclusion: even the best epistemic arguments for decentralization introduce epistemic trade-offs and do not establish strong arguments for federalism. It also generated more specific insights that should inform future analyses.

One specific insight is that genuinely epistemic arguments focus on individual or group competence. Information is important where and because it bears on competence. A governance mode (e.g., federalism) producing or a group (e.g., state legislature) possessing information is insufficient to establish its value. One must further explain how the information is relevant to achieving particular ends. Local knowledge is, in turn, insufficient and sometimes unnecessary for better outcomes. Moving from “Local knowledge is important” to “Decentralization is epistemically desirable” to “Federalism is epistemically desirable” accordingly requires much more analytic work than many stakeholders assume.

Analyses above further suggest that several purportedly epistemic arguments are not genuinely epistemic. For example, appeals to the importance of citizen participation or deliberation in the democratic process can be part of epistemic arguments. But they can be (and sometimes are) parts of democratic arguments that are insensitive to whether those with influence have epistemic warrants for their views, or even accept that participation or deliberation will have epistemic costs. The latter arguments are not genuinely epistemic. Attending to epistemic

considerations further demonstrates that some epistemic arguments collapse into others. For example, several participatory arguments rely on aggregation to establish that participation can enhance group competence (and vice versa). Such arguments do not establish distinct mechanisms for ensuring greater individual or group competence.

Genuinely epistemic arguments then vary and present distinct strengths and weaknesses. Some claim that decentralization or federalism will address deficiencies in other forms of governance. Others suggest they simply better secure relevant epistemic targets than alternatives. Arguments above also refer to a range of relevant epistemic targets. Some are individual. Some are collective. Some appeal to objective ends. Others focus on preferences. Preference-based views variously refer to policy or outcome preferences. Genuinely epistemic arguments further identify diverse mechanisms for securing or improving relevant types of competence. Appeals to local knowledge, experiments, and (multiple types of) diversity stand out across several arguments, presenting commonalities that permit more general conclusions about epistemic arguments for federalism or decentralization as a class. Yet the methods by which they purportedly secure competence differ across views. This variance provides a burden for work that seeks to develop arguments above. Those defending particular views must clarify whether and when these are likely to produce epistemic benefits—and whether and when federalism is more likely to produce them in ways that support adopting it.

The preceding provides reason to question other epistemic arguments for decentralization or federalism. Many arguments rely on modelling assumptions that may not apply in the real world or empirical predictions that do not present a strong case for any form of governance, federal or otherwise. There is minimal evidence that “local” entities are more competent or that subjects or decision-makers are more competent in federal states. Where local politics are more accessible, individuals may not know more about relevant political contexts. Many do not have better knowledge of local politics, and the increased complexity of decentralized modes of governance makes it more difficult to secure all the information necessary to be a competent political participant. Many local entities then face distinct biases and incentives that could undermine the rational processing of relevant information. Local biases and irrationalities also stifle innovations undergirding several experimental arguments.

Experiments, participatory and deliberative democracy exercises, and competition in decentralized or federal states can be epistemically beneficial. Yet neither multiple sites for experimentation nor multiple levels of deliberation guarantee more robust knowledge, let alone greater individual or group competence. And some forms of experimentation, participation, or deliberation do not pair well with decentralized governance. Decentralized governance can, in fact, make it less likely that parties will learn from relevant experiments or leverage the benefits of

deliberative exercises. Thus, decentralization also (and relatedly) cannot guarantee the increased diversity that is central to several competence-based arguments. Indeed, decentralization can instead homogenize. Competition-based arguments above appear less prone to challenge. However, many rely on substantive views about the nature of federalism or competence (and even views on capitalism) that others will reject.⁸⁶

Federalism in particular is not, moreover, necessary to secure decentralization's epistemic benefits and presents distinct epistemic challenges. Policy experiments, participatory and deliberative processes, and competition occur in nonfederal states. And the conditions necessary for beneficial policy learning or knowledge development do not appear in many federal states. Competition-based learning occurs in states that do not fit the definition of federalism above. And federal design can make beneficial experiences less likely by ossifying homogeneity or decreasing the potential benefits of experiments. Federalism also eliminates the "checks" on epistemically problematic state-level activities provided by devolution and other forms of decentralization in which substate activities are subject to central oversight.⁸⁷

Analyses above do not establish an all-things-considered case for federal or nonfederal forms of government but provide reason for skepticism about epistemic arguments for federalism. Non-epistemic arguments remain possible and may justify federalism. For example, the non-epistemic value of participation may still justify decentralization or federalism. For another, different entities may need distinct domains of authority to ensure that members' influence over decisions tracks how much they are impacted by those decisions.⁸⁸ Yet a strong justification for federalism is likely to be non-epistemic and apply notwithstanding attendant epistemic costs. Accepting epistemic costs for democracy's sake is not novel. The preceding further suggests that decentralization will introduce such costs. Readers can decide whether the trade-offs are worthwhile. I suspect their response will depend on how they view competence. Concerns above belie attempts to ground an epistemic *presumption* for decentralization. The foregoing thus further undermines epistemic appeals to subsidiarity.

While some challenges above further undermine arguments for decentralization within federal states, the preceding also offers guidance on how to structure federal states. Where federalism already obtains or is independently desirable, good federal design should protect against specific epistemic threats identified above. If I am correct, then federal states, again, need not adopt a presumption in favor of decentralization. At a minimum, however, states should create structural protections that minimize epistemic trade-offs occasioned by decentralization or federalism. Difficulties understanding complex governance, homogeneity-based biases and distortions, incentives against fruitful experimentation and toward inapt policy emulation or migration, and popular and media interests in more "national

stories” are just four representative challenges. Incentives for beneficial experimentation and policy learning and support for local education and media provide two potentially fruitful responses thereto.

These results also highlight potentially productive research paths. Each argument above should be more thoroughly tested against various epistemic standards. The preceding further identifies knowledge gaps demanding independent empirical and conceptual studies. For instance, more work on how to measure local knowledge, whether federalism fosters valuable versions thereof, and whether different types of government reach better outcomes on relevant metrics or meet diversity thresholds could help resolve lacunae above. Additional scrutiny of which epistemic standards one should use to judge claims also appears warranted. It could refine concepts in political epistemology. Applying existing standards from political epistemology to questions in federalism proved valuable above. Conceptions of different epistemic norms that further clarify real-world arguments and reach more intuitively acceptable judgments about governance forms are better in at least one respect, supporting their use elsewhere in political epistemology. These research projects can fruitfully proceed together. More empirical knowledge will help scholars understand when particular concepts or conceptions thereof plausibly apply in particular settings and thus when or if they are useful. The preceding is an initial proof of concept and spur for such an interdisciplinary approach.

Acknowledgments

Earlier versions of this piece received exceptionally high-quality reviews that substantially improved the finished product. I sincerely thank the reviewers and the editors who handled the manuscript for their work. I also thank Daniel Béland and Michael Howlett for guidance on the policy learning literature and thank Hannah Da Silva and audiences at meetings of the American Political Science Association and the Canadian Section of the International Association for Philosophy of Law and Social Philosophy for feedback on predecessor texts.

Funding

None declared.

Notes

1. I substantiate the claims in this paragraph in substantive sections below. In the process, I detail the leading epistemic arguments and identify some predecessors of the present analysis.
2. See [Hannon and de Ridder \(2021\)](#), [Edenberg and Hannon \(2021\)](#), or [Hannon and Edenberg \(2023\)](#) for introductions to political epistemology.

3. See, e.g., [Goodin and Spiekermann \(2011\)](#), which addresses community size-related questions central to federal studies. This commonality leads many to view epistemic concerns as central to parallel discussions of democracy and federalism. See, e.g., [Dahl \(1983\)](#) and [Hueglin \(2013\)](#). I discuss these commonalities further in substantive sections below.
4. For instance, leading analyses of epistemic arguments for democracy ([Goodin and Spiekermann 2018](#); [Brennan 2016](#), 1) begin with references to major figures in US federalism and to J.S. Mill, who many read as a proto-federalist.
5. [MacKay and Danis's \(2016\)](#) argument that local knowledge of health needs helps justify state control over health policy is one of the few works—[Somin \(2016\)](#) is another—drawing explicitly on contemporary epistemology for federal ends. Federalism does not appear in the indices of note 2 sources, let alone as a chapter topic.
6. See summaries in [Weinstock \(2001\)](#); [Føllesdal \(2003/2018\)](#); and [Feeley and Rubin \(2008](#), c 3).
7. See “Specifying the leading epistemic arguments” below.
8. Recall note 5, surrounding.
9. I thank an anonymous reviewer for this point. The text here and the broader discipline of political epistemology remain very fruitful despite the lack of definitional agreement.
10. Compare [Estlund \(2008\)](#); [Brennan \(2016\)](#); and [Goodin and Spiekermann \(2018\)](#). Then see the section of this article entitled “Specifying the Leading Epistemic Arguments.”
11. *Id.* See also note 2 sources; [Méndez \(2022\)](#).
12. [Mill \(1861/2010](#), c 17) also refers to federalism’s peacekeeping potential.
13. While I focus here on what federalism scholars can learn from political epistemology, refinements below establish that epistemologists can learn from engaging with federalism. They make some accounts of which forms of information and outcomes bear on political competence in decentralized or federal states more plausible than others. This could help specify epistemic standards for other questions in political epistemology: a political epistemology appears worse in one respect where it makes implausible recommendations for federal theory.
14. Definitions here are minimalist, drawing on common ground in definitions summarized in [Føllesdal \(2003/2018\)](#); [Da Silva \(2022\)](#); etc. See also [Fenna and Schnabel \(2024\)](#).
15. Many refer to subsidiarity as a principle of federalism. [Levy \(2007\)](#) plausibly understands it as a contrast case as it may require shifting authority in ways inconsistent with federal stability. I follow that usage. I seek to avoid debates about whether confederalism, consociationalism, et al. are “really” federal by using a general definition.
16. One could instead examine whether decisions meet an epistemic threshold for legitimacy. That project is less tied to the current federal theory. Compare [Brennan \(2016](#), 165–66) on qualifying and disqualifying epistemic arguments.
17. If examples of different arguments below falter, examining logical space would still be valuable.

18. [Somin \(2016\)](#), for one, discusses the competence of individual voters. For alternative takes on individual competence, see Part 1 of [Elkin and Soltan \(1998\)](#). [Goodin and Spiekermann \(2018, 313\)](#) focus on the competence of “the government” as a collective agent. However, they also analyze particular types of government ([Goodin and Spiekermann 2011, 2018](#)). Still others discuss the voting public as a whole or draw on analogies with other collectives, including juries. See, for example, [Landemore \(2012a, b, 2013\)](#) on collective intelligence.
19. See also [Brennan \(2016\)](#), who argues that individuals and group electorates both “tend to act” incompetently.
20. See note 2 sources; [Brennan \(2016\)](#); [Somin \(2016\)](#); etc.
21. See also [Viehoff \(2016, 409\)](#), who defines expertise in terms of “reliably judging a particular subject-matter.” But note and compare [Hannon \(2020\)](#)’s suggestion that democratic deliberation aims to further understanding, not “truth.”
22. [Rubin and Feeley \(1994, 913\)](#) canvass a similar argument but conclude that it only justifies decentralization: federalism too easily permits variation contrary to federally-defined goals.
23. [Somin \(2016\)](#) demonstrates that individual competence is more easily fostered where government is simple.
24. [Anderson \(1991\)](#) convincingly argues that Mill’s childhood exemplifies the former experiment.
25. *Id.* See also [Jewkes \(2016\)](#).
26. Other factors, like family connections, clearly also help explain this outcome.
27. See [Kelly \(2021\)](#) for a detailed account of Mill on decentralization and federalism. See also [Da Silva \(2024a\)](#) (further critiquing the epistemic case for federalism on Millian grounds).
28. See also [Gardner \(1998, 478\)](#). Earlier versions of this argument appear in James Bryce and Herbert Croly.
29. This definition is also contested but common. Compare, e.g., [Benz and Fürst \(2002, 23\)](#) and [Dunlop et al. \(2024, 1891–92\)](#).
30. See, for example, [Oates \(1999\)](#); [Karch \(2007\)](#); [Shipan and Volden \(2021\)](#); and [Garlick \(2023\)](#) on vertical and horizontal learning.
31. [Schiller and Sidorsky \(2022\)](#) also note issues with reauthorizing anti-violence laws.
32. This adds an epistemic dimension to the [Tiebout \(1956\)](#)-style view that federalism aims to efficiently match individual preferences and policy regimes.
33. For distinctions in types of federalism, including a competitive type, see [Watts \(2008\)](#) and sources therein.
34. See [Shipan and Volden \(2021\)](#) on [Berry and Berry \(1990\)](#).
35. The UK is also central to [Weingast \(1995\)](#).
36. He also makes an experimental argument.
37. See also [Weinstock \(2001\)](#)’s democratic argument for federalism.
38. Further to the works below, see general defences of deliberation like [Mansbridge et al. \(2012\)](#) and [Chambers \(2012\)](#).

39. [Goodin and Spiekermann \(2018\)](#) are prominent contemporary proponents of what is often called the “Condorcet Jury Theorem.” Condorcet-based approaches remain representative of aggregative views, even if others remain available and the Theorem is itself controversial. See [Méndez \(2022\)](#)’s summary of the literature.
40. Note critiques like [Brennan \(2023\)](#).
41. The public health experts I know are alive to socioeconomic impacts. But this type of claim is common.
42. [Goodin and Spiekermann \(2018\)](#) take a similar tack. [Goodin \(2007\)](#) elsewhere entertains the idea that subsidiarity could help address the difficulties of substantiating democratic ideals in real-world polities.
43. [Allard-Tremblay \(2017\)](#) technically argues for decentralization within federal states. Yet his concerns may make federalism preferable to alternatives: “Local” persons will be more likely to have appreciably above random individual epistemic competence indexed to local norms.
44. While Bednar uses subsidiarity language, she considers subsidiarity the “soul of federalism” (2014, 231).
45. I thank an anonymous reviewer for this point. See also [MacKay and Danis \(2016, 6\)](#) on reasonable disagreement about health care outcome metrics. [Karch \(2007, 61\)](#) adds that accepting that criteria exist does not entail accepting the policies most likely to fulfill them: “A decision about the political desirability of simply establishing a program can trump expert estimates of its ability to achieve its substantive objectives.”
46. Stating that standard-setting is difficult for competence-based arguments for any outcome may prove too much by establishing that epistemic considerations do not favor *any* form of governance. If so, this presents challenges for objective approaches to competence. However, even weaker versions of this challenge produce issues here: if objective metrics only exist in certain areas, local knowledge arguments will only work in those areas. And they must establish that the knowledge at issue helps produce objectively desirable outcomes.
47. This is an epistemic variant of the minority-within-a-minority problem in [Eisenberg and Halev-Spinner \(2005\)](#).
48. See also [Porter \(1977\)](#) on Mill. I build on both for a similar point in [Da Silva \(2024a\)](#).
49. This further challenges [Bednar \(2014\)](#)’s argument that decentralized governance will increase the diversity of those making and evaluating experiments.
50. See also [Grumbach \(2022, 201\)](#).
51. On news coverage, see, for example, [Somin \(2016\)](#) and [Grumbach \(2022\)](#).
52. This fails [Viehoff’s \(2016\)](#) compensation-based conditions for authority, which require that any entity claiming political authority on epistemic grounds be able to address individual would-be subjects’ epistemic deficiencies. Viehoff believes epistemic considerations may still guide institutional design questions.
53. If concerns about differences in tastes or real-world conditions are not strictly epistemic, knowledge about tastes or conditions may still figure into epistemic views (as in [Allard-Tremblay 2017, 702](#)).
54. Intergovernmental agreements make it even harder to identify responsible parties. The terms of such agreements are often shielded from public view ([Fahey 2023](#)).

55. [Somin \(2016\)](#)'s incentives-based argument above at least explains why people *should* seek the information.
56. [Bednar \(2014, 234\)](#) adds that bifurcated authority also requires written (and unwritten) norms for managing intergovernmental relations that do not exist in unitary states. Competent voters may need to understand them.
57. Federalism, in fact, may be responsible for worse health outcomes in US states, whether objectively or subjectively defined ([Michener 2018](#); [Grumbach 2022](#)).
58. See [Méndez \(2022\)](#) on institutions removed from lay experiences.
59. [Zimmerman \(2024, 1811\)](#) defines policy capacity.
60. Recall [Derthick \(1970, 197\)](#)'s classic discussion of states as federal agents. Derthick, of course, recognized that state bargaining power limited federal control. And political culture has changed since 1970. Concerns about "government by proxy" nonetheless remain. Notably, for example, many cooperative programs are also often federal agency-led ([Bulman-Pozen 2012](#); [Fahey 2023](#)). States are asked to act outside their boundaries and face pressures to do so ([Fahey 2015, 1607](#)).
61. [Fahey \(2023, 1384\)](#) further notes risks of federal and state collusion to expand their respective powers.
62. See [Boushey \(2010\)](#) (noting N.R.A. and A.A.R.P. successes and smaller group failures).
63. Recall [Somin \(2016\)](#) on incentives. [Shipan and Volden \(2008, 827–28\)](#) add that local politicians have more contact with their constituents and may have ambitions for national office that incentivize good works.
64. See accounts of "competitive federalism" in federalism texts above.
65. See [Boushey \(2010, 8ff\)](#) (also noting that technical policies and those aimed at unpopular populations are less likely to diffuse even when successful).
66. *Id.*
67. On imitation, see, e.g., [Karch \(2007, 55\)](#). On ideology, see, e.g., [Moyson, Scholten, and Weible \(2017, 165\)](#) and [Shipan and Volden \(2021\)](#). Both phenomena also feature in texts like [Shipan and Volden \(2021\)](#). These texts focus primarily on the US. Comparative works include [Howlett \(1999\)](#); [Benz and Broschek \(2013\)](#); [Benz and Sonnicksen \(2021\)](#); and [Cairney, St Denny, and Kippin \(2021\)](#). This presently smaller but important literature suggests that similar phenomena occur in other countries.
68. Recall notes 29–30, surrounding. See also examples in [Oates \(1999, 1132\)](#).
69. For example, [Volden \(2006\)](#) states that political similarity played a role in children's health insurance policy diffusion.
70. [Weissert and Scheller \(2008\)](#) only found evidence of learning in 1/6 major case studies.
71. Recall note 65. See also [Shipan and Volden \(2021, 34\)](#).
72. See also [Garlick \(2023, 29\)](#).
73. This helps explain [Grumbach \(2022, 5, 9ff\)](#)'s additional finding that some U.S. states have become "laboratories *against* democracy" in the sense that new policies limiting democratic participation successfully spread through concentrated efforts in polarized states.
74. See 67 sources.
75. See also [Rubin and Feeley \(1994, 924\)](#) (using a different definition of federalism).

76. The experiments in living advocate Mill thus believed the requisite kind of policy diversity should be fostered under the supervision of a central authority (Porter 1977; Levy 2014). The policy experiments champion Brandeis believed that experimentation should lead to uniformity as polities learn the best approach (Tarr 2001).
77. Recall notes 65, 71, surrounding.
78. I also thank an anonymous reviewer for suggesting that this is distinctive of competition-based arguments for federalism. Justifying those distinct domains is important for justifying federalism. Those domains could be justified on other grounds and present some epistemic goods here. They also engender trade-offs here and above.
79. See Weingast (1995) (viewing China and the UK as federal). Others may challenge their metrics. The narrow point here is that arguments using their nonstandard definition of federalism cannot justify traditional versions.
80. I thank an anonymous reviewer for flagging Weingast et al.'s references to the importance of distinct domains of authority. Weingast et al.'s inclusion of the UK as case studies then strikes me as curious.
81. Where decision-making jurisdiction overlaps, there is no guarantee the "tiebreaker" principle will always support the epistemically better-positioned body. For instance, a presumption favoring local bodies may fail to capitalize on the greater diversity among the larger body that makes it more likely to reach accurate results on certain (plausible) interpretations of Condorcet.
82. See also a forthcoming collection on participatory democracy and federalism, currently titled *Theories and Practices of Federalism: Dynamics of Federalism in South and Southeast Asia*, edited by Laure Assayag-Gillot, Christine Forster, and Vishnu Tandon. I contributed a more theoretically-oriented chapter to that volume.
83. See also the forthcoming collection cited in the prior note.
84. *Id.*
85. On computer simulations, see Brennan (2023).
86. Recall notes 78–80.
87. It is accordingly unsurprising that even figures like Mill and Brandeis preferred central oversight. Recall note 76.
88. I explore this possibility in Da Silva (2024b).

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Publius: The Journal of Federalism, 2025, 00, 1–38
<https://doi.org/10.1093/publius/pja057>
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