

# POLYCENTRIC GOVERNANCE AND THE GOOD SOCIETY

*A Normative and  
Philosophical Investigation*

EDITED BY DAVID THUNDER  
AND PABLO PANIAGUA



# **Polycentric Governance and the Good Society**

## **POLYCENTRICITY: STUDIES IN INSTITUTIONAL DIVERSITY AND VOLUNTARY GOVERNANCE**

Series Editors: Lenore T. Ealy and Paul Dragos Aligica

This interdisciplinary series explores the varieties of social institutions, processes, and patterns of governance that emerge through individuals' coordination, cooperation, and competition in governance systems based on freedom of choice, freedom of exchange, and freedom of association. Under conditions of relative freedom of association, human diversity leads to institutional diversity and polycentric structures. In contrast to monocentric, unitary, and hierarchical command and control systems, polycentric social systems comprise many decision centers interacting freely under an overarching set of common rules. First introduced by Michael Polanyi as a descriptive and normative feature of free societies and further elaborated by Nobel Prize in Economics recipient Elinor Ostrom and public choice political economy co-founder Vincent Ostrom, the notion of polycentricity has proven to offer a powerful analytical framework for expanding our understanding of the operation of governance regimes, constitutional federalism, law, public administration, private ordering, civics and citizenship, subsidiarity, nonprofit organization, cultural pluralism, civil society, and entrepreneurship. Studies in this series will refine the conceptual framework of polycentricity and its governance theory implications, while expanding their application in the study of what Alexis de Tocqueville called the art and science of association. These studies should be of interest to scholars, policymakers, executives, social entrepreneurs, and citizens working to devise ways of living together harmoniously in civil societies.

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# Introduction

## *The Timeliness of Polycentric Theories of Governance<sup>1</sup>*

Pablo Paniagua and David Thunder

Many theorists who investigate how society ought to be governed assume that a highly centralized or monocentric State administration is the most appropriate mechanism for governing social life, and then go on to investigate how such a centralized State should be structured and which principles should animate its governing organs. For example, local governments are treated as mere emanations of “the State” rather than independent political units, or principles of justice are devised for a “State” without taking into consideration the authority and diverging priorities of sub-state governments. In this book, we wish to critically interrogate the assumption that the governance of social life should be conducted in a highly centralized manner. Our critical examination will be conducted at the intersection of politics, philosophy, law, and economics.

Specifically, the goal of this book is twofold: first, to critically examine the role of the monocentric state in either supporting or undermining the health and stability of the social order; and second, to explore the philosophical foundations of alternative polycentric arrangements of governmental power and authority, and how they can help promote a good society. In this collected volume, our authors employ a variety of different philosophical and methodological perspectives as they elaborate approaches to governance and political order that grapple seriously with the complex and multifaceted nature of social life. This is the first serious attempt in the literature to explore in depth what it means, not only from an economic and organizational standpoint but also from a broader ethical, sociological, and anthropological perspective, to live in a polycentric political system and how polycentric orders might contribute to human and societal flourishing.



## THE SCOPE OF THE BOOK

Since the age of monarchical absolutism, when King James (1566–1625) described himself as “God’s lieutenant on earth,” political theorists and actors have expended a great deal of energy spelling out the need for a central government to establish a fully integrated public order and oversee social, political, and economic life across a national territory. While these centralizing tendencies have not gone unchallenged, polycentric and dispersed forms of governance remain underrated and understudied by mainstream political theorists, philosophers, and PPE (Philosophy, Politics, and Economics) scholars alike.

This collection of essays aims to place the idea of polycentric governance under the analytic microscope, not merely as an explanatory tool for making sense of particular social practices, nor simply as a potential strategy for solving local coordination problems, such as the provision of policing and water, but as a normative ideal for social life conceived more broadly. When we speak of polycentric governance, we have in mind a plurality of units of governance enjoying substantial mutual autonomy yet sharing some common interests, submitting to shared rules and decision procedures, and responding adaptively to each other’s decisions. The diverse units of a polycentric governance arrangement may be guided by a similar logic or rationale, e.g., the logic of market exchange or utility maximization; or alternatively, they may be guided by heterogeneous logics or rationales, e.g., the logic of economic production, religious fidelity, public administration, or artistic creativity.

In this book, we are not interested exclusively in offering a morally detached description of a set of social phenomena and their operations; rather, we wish to examine the advantages of polycentricity as a method or philosophy of governance, when compared to more monocentric approaches. Polycentric approaches to governance may be distinguished from their more monocentric or centralizing counterparts inasmuch as they maintain that effective or successful social governance requires (i) a plurality of organs of governance, (ii) enjoying substantial levels of mutual autonomy, (iii) capable of interacting with each other and submitting to shared rules and decision procedures, in productive and functional ways, (iv) without being controlled by a uniquely sovereign or supreme super-coordinator.<sup>2</sup> A centralizing approach could accept (i) and (iii)—a plurality of governmental organs capable of interacting with each other productively under shared rules and decision procedures—but would reject (iv), instead viewing the subordination of the prerogatives of local governments to a sovereign super-coordinator as inevitable or essential for public order.

Of course, we are not the first to discuss the theory and practice of polycentric governance and coordination. Governmental and institutional polycentricity have been ably investigated by political economists like Vincent and Elinor Ostrom, political and economic historians like James Scott, theorists of federalism such as Daniel Elazar, and political theorists such as Chandran Kukathas and Gerald Gaus. The latter, in particular, has led the way in investigating how a stable political order could emerge from a plural and diverse society. Without wishing to detract from the value of these contributions, we contend that the practice of polycentric governance and its ethical and institutional foundations remain under-theorized. For example, a variety of political economists have discussed the efficiency gains of polycentric governance and the inefficiency of hyper-centralization, but we see few explicit and systematic defenses of polycentricity that are anchored in a general discussion of human and societal flourishing, broadly construed.

What makes this volume distinctive is that it seeks to explore the implications of a polycentrically governed social order not only for economic cooperation and efficiency, but also for fundamental human aspirations, such as friendship, community life, political stability, and rational self-government. We have yet to see the emergence of a compelling institutional and normative theory of polycentric governance as an effective framework for a flourishing, welfare-enhancing society—or if such a theory does exist, it has not garnered the attention it deserves. Our goal in this edited volume is to lay some of the philosophical and institutional-theoretical groundwork for such a theory.

Perhaps more than any well-defined doctrine about social life, what unites the authors of this volume is a suspicion of overly systematizing and homogenizing conceptions of social and economic order, and a rejection of the notion that society could be sculpted into a perfectly integrated whole, such as a tightly harmonized constitutional system. Scholars friendly to polycentricity and decentralization are disinclined to read systematicity, homogeneity, and full harmonization into situations that are, on their face, riddled with heterogeneity and complexity, such as the teeming life of a city or the political life of a nation. In other words, polycentrists—two notable examples being Elinor Ostrom and James Scott—are philosophically and methodologically disposed to resist the temptation to purchase explanatory elegance at the cost of social reality. A flattened, two-dimensional social order may be easier to decipher. However, it is a fictitious projection that artificially flattens out the structural, ideological, cultural, and institutional heterogeneity of modern societies and consequently underestimates the challenges of effective governance.

We are optimistic that a serious examination of the benefits of polycentric governance for human society will show that polycentricity is not just a valuable tool of public administration, but an indispensable conceptual framework and normative guide for a human society capable of servicing its

members' needs and responding to their reasonable hopes and expectations as human persons. Hence, this book could be read as an attempt to lay out, in a rough and preliminary fashion, the foundational principles of a normative and philosophical theory of polycentric law and politics, with the potential to reinvigorate scholarly debates about governance and civil order in complex and diverse societies.

## POLYCENTRIC THINKING IN PHILOSOPHY AND THE SOCIAL SCIENCES

The pushback against overly homogenizing and centralizing approaches to governance and social order is already well underway. One of the most influential schools of polycentric thinking is what has become known as the Bloomington School of Political Economy, spearheaded by studies of polycentric governance led by Elinor and Vincent Ostrom, starting in the 1960s (e.g., V. Ostrom, Tiebout, and Warren 1961). One representative example of their blending of theoretical and empirical investigation is their study of the comparative merits of decentralized versus centralized policing systems (E. Ostrom, Parks, and Whitaker 1973).

Since then, much of the work on polycentric systems of social coordination has followed in the Ostroms' footsteps, investigating methods through which the provision of public goods and services and the solution of a variety of problems of social and economic coordination may be achieved by multiple organs of governance with substantial levels of mutual autonomy, cooperating on a more or less voluntary basis (e.g., Schneider 1989, McGinnis 1999, Pennington 2008, Paniagua 2022, Paniagua 2020, Aligica and Tarko 2013, Aligica 2014). These sorts of studies seek to interrogate the practical benefits of polycentric governance for the production and provision of public goods, such as security, public health, roads, and water infrastructure, and to disprove widely held assumptions concerning the preferability of monocentric models of public administration.

We have also seen important discussions of polycentric governance in studies of federal and confederal political systems (Buchanan 1996, Elazar 1987, Kriesi and Trechsel 2008, V. Ostrom 1991) and governance beyond the State (Stringham 2015, Ellickson 2009, Auerbach 1984, Risse 2013, Scott 2014), not to mention a wave of literature in recent decades on political and legal pluralism (Delmas-Marty 2009, Griffiths 1986, Teubner 2012b, Cerny 2010, Hirst 2013, Tully 1995, Muñiz-Fraticelli 2014, Levy 2015), which shows the futility of attempts by modern thinkers to integrate social order under a single, uniform system of law or governance. Nevertheless, one comes away from this impressive bank of research wondering why polycentricity, especially in

a world in which the old, centralized models are losing their grip on social reality, is not on the tip of the tongue of every serious political scientist, lawyer, political philosopher, and social theorist.

How might we explain the relatively low visibility of polycentric governance in contemporary social science and philosophy? Two possible explanations come to mind. First, even if the concept is relevant to many aspects of social, political, and economic life and has able and sophisticated defenders, it remains countercultural in the Kuhnian sense of not fitting squarely into the centralizing paradigms of modern social science, whether internationalism, which divides the world up into States as collective rational actors; statism, which views the State as the supreme source of order in the national sphere; or certain versions of legal positivism, which essentially assume the existence of a single system of law in any given territory (two prominent exponents of this view are Hans Kelsen 2002/1934 and H.L.A. Hart 1994/1961).

Highly centralized and State-centric paradigms of social governance and law are undoubtedly propagated and reinforced by State-controlled educational curricula and media, not to mention highly stylized images of more chaotic eras of feudal oppression, anarchy, and religious warfare (based on questionable historical generalizations), intended to serve as a stern warning against the pitfalls of decentralizing political and social authority. As Nobel Prize winner Elinor Ostrom lamented in 2005, “Leviathan is alive and well in our policy textbooks. The state is viewed as a substitute for the shortcomings of individual behavior and the presumed failure of community” (Ostrom 2000, 5). One could argue that some of the major works in political philosophy (e.g., Rawls 1971), political science (e.g., Downs 1957), and political economy (e.g., Samuelson 1948) published since World War II have significantly boosted the salience and prestige of State-centric visions of social order, relegating competing paradigms to the margins of academia.

A second possible explanation for the low visibility of polycentricity in modern social science and philosophy is that those who have broken with centralizing conventions to seriously investigate the potential explanatory and normative payoffs of attending to polycentric structures of social governance tend to be scattered across methodologically and topically heterogeneous fields of research, many of which pay limited attention to each other’s findings and insights, and few of which pretend to offer anything like a “grand” unifying theory of politics or society.

The relative specialization and insulation of many domains of polycentric research, such as the institutional dynamics of federal polities (e.g., Bednar 2008), the proliferation of constitutional orders that govern diverse spheres of society (Teubner 2012), or the complex, multilayered political economy of metropolitan areas (Ostrom 1972), leads to an incomplete grasp of polycentrism’s larger significance for the social sciences and weakens scholars’

capacity to develop an account of polycentric governance capable of speaking across disciplinary boundaries. Hence, if we wish to expand its analytical usefulness and theoretical visibility, it seems wise to adopt a broader, more integrated PPE (Philosophy, Politics, and Economy) perspective on polycentric governance. This is what we have done in this book.

## SCHOLARLY CONTRIBUTION

During recent decades, the challenges of hyper-centralized political and financial power, illiberal technocracy, political polarization, and civic fragmentation have threatened the very foundations of liberal democracies. The liberal ideal of the Open Society, as F. A. Hayek (Hayek 1978) understood it, namely a tolerant, free-market society of strangers governed by impersonal rules, has come to be severely questioned from within, especially when some sectors of society see their quality of life decline in what they take to be a free-market economy. Indeed, as we can see from the steady polarization of Western politics and growing distrust in public institutions, the Open Society is a precarious achievement, whose future is far from guaranteed. This gives rise to a fundamental, yet highly neglected, question, namely, how can we realize the Hayekian ideal of the Open Society in a manner that is resilient to the challenges of centralized power, burgeoning technocracy, political polarization, and civic fragmentation?

Specialized and applied studies of polycentric governance can effectively exemplify and illustrate the power of polycentric approaches to social order and coordination. Three prominent examples of works of this sort are three edited volumes published over the past twenty-five years: *Polycentricity and Local Public Economies: Readings from the Workshop in Political Theory and Policy Analysis* (1999), edited by Michael D. McGinnis; *Governing Complexity: Analyzing and Applying Polycentricity* (2019), edited by Thiel, Blomquist, and Garrick; and *Polycentricity in the European Union* (2019), edited by van Zeben and Bobić. Each of these three volumes examines the concept of polycentric governance and order through the lens of applied problems such as water management, municipal governance, and inter-institutional governance within the European Union. Even though these contributions are extremely valuable in their applied fields of inquiry, their level of specialization prevents them from offering a broader, more ambitious vision of the role of polycentric governance in the good society and its contribution to human flourishing. We address this gap in the literature by taking up these larger questions in a way that aims to be accessible to students and scholars from a cross-disciplinary audience. In this way, we hope to push the idea of polycentric governance further into the mainstream of contemporary

academic discourse and promote serious consideration of polycentric solutions to a wide range of coordination problems confronting communities across the world.

This collection of essays is the first to carry forward the political economy tradition of polycentric governance and the Open Society, not exclusively on its own terms, but also under the broader umbrella of moral, political, and social philosophy. Building on works like *The Open Society and Its Complexities* (Gerald Gaus 2021) and a diverse body of work at the intersection of philosophy, politics, law, and economics, the arguments advanced in this volume suggest that under the right conditions, polycentric governance can be the institutional cornerstone of a resilient Open Society. The book offers normative arguments to show the ethical attractiveness of polycentric governance in a world marked by moral, cultural, and political diversity, disagreement, and conflict. But it also marshals PPE arguments and evidence to show that a resilient Open Society must rely on polycentric systems of governance if it hopes to attain political stability in the face of complexity and disagreement. Such arguments should offer valuable food for thought about the relationship between modern democracy and institutional and cultural pluralism, as well as the limitations of monocentric solutions to the problem of political order.

We aim to illuminate the value of polycentric governance arrangements and their fit with human needs in ways that resonate with the findings of Ostromian institutional economists, yet also examine this topic through the lenses of neighboring disciplines, such as moral philosophy, law, history, and political science. We take a step back from the intricacies of specialized debates within federalism and institutional economics, which often focus narrowly on governmental stability and the efficient satisfaction of economic needs, to ask larger philosophical and normative questions about the theoretical grounding for polycentrism and its general merits as a principle of social organization, when compared with more monocentric approaches. While there have been a number of individual works offering a broad philosophical treatment of polycentrically structured social orders (e.g., Müller 2019, Thunder 2018, Aligica 2019), to the best of our knowledge, there have been no edited collections, like this one, presenting a variety of approaches to the justification, design, and implementation of polycentric social orders with a broad philosophical and normative focus beyond the fields of political economy and public choice theory.

An academic world immersed in centralizing paradigms of social order, in particular those that look to the State or global actors to impose order from the top down, is gradually waking up to the fact that centralizing and homogenizing paradigms of social governance, such as Statism and internationalism, are unsatisfactory both as explanatory and action-guiding principles. The dream

of a centrally planned and controlled society nourished by August Comte and other European Enlightenment thinkers is fading into the distant past as we wake up to the reality of social complexity and its far-reaching implications for effective social governance. In this context, a broad and multidisciplinary investigation of the types of institutional arrangements that can rise to the challenges of governance and accommodate diverse ways of life under conditions of social complexity is long overdue.

A strong case can be made that polycentric governance arrangements, far from being a recipe for anarchy or social disorder, are actually more responsive to the challenges of governing a complex and multifaceted social order than their centralizing counterparts, and they may more reliably respond to a plurality of human needs and aspirations on the ground. Rather than following the conventional path of suppressing complexity and diversity for the sake of reaching agreement on justice and political stability, we see complexity and diversity as assets that should be leveraged to make the Open Society a more prosperous, resilient, and flourishing place to live.

We hope that *Polycentric Governance and the Good Society* will become a valuable reference work for academics and students looking for a probing, cross-disciplinary discussion of the ethos and institutions of liberal democracy under conditions of social pluralism, in particular the challenge of creating and preserving stable political institutions in a morally, politically, and culturally diverse Open Society. A book of this nature should appeal to students, academics, and researchers interested in the problem of order and governance under conditions of advanced social complexity in fields such as political science, moral and political philosophy, political economy, public administration, and legal and constitutional theory. This book should be of special interest to the PPE community of scholars interested in the justification, emergence, and preservation of a resilient Open Society.

Last but not least, we believe this book will hold interest for non-academic citizens who want to deepen their understanding of the challenges confronting free, democratic, and open societies in a world of deep moral and cultural pluralism. At a moment when the old idea of a State-centric society is under threat from the globalization of markets and politics, the rise of moral and cultural fragmentation, and the crisis of the welfare state, a volume developing alternatives to monocentric paradigms of order should appeal not only to specialized academic scholars, but also to a lay public interested in learning more about novel approaches to governance that break with traditional Statist paradigms of civil order.

## OVERVIEW OF THE CHAPTERS

In this collection, we investigate the politics, philosophy, and economics of polycentrism not merely as an empirical description of a particular type of social arrangement, but as a normative and philosophical position on how society ought to be governed or might be most successfully governed. To think polycentrically about social order is to view social life as a plurality rather than a singularity: to acknowledge and attempt to do justice to the plurality of communities, narratives, and normative orders that interact dynamically in any extended social space. Echoing Isaiah Berlin's famous allegory, to think polycentrically about social order is to recognize that modern societies should not be conceived as a "compact coral reef," but as a complex ecosystem inhabited by an irreducible plurality of lifestyles and values, which cannot be fully embodied within a single human life or a single community. There is much at stake in vindicating this pluralist vision, given that personal and societal flourishing have suffered enormous harms from the suppression of diversity through unitary conceptions of justice, top-down conceptions of economic planning, or hyper-centralized forms of public administration.

This volume comprises nine contributions, reflecting on the logic and merits of polycentric governance from ethical, organizational, sociological, political, economic, historical, and legal-constitutional perspectives. The book is divided into three main sections: i) the ethics of polycentric governance, ii) the feasibility of polycentric orders, and iii) the principles of polycentric law and statecraft. In Part I, the ethics of polycentric governance, we have three contributions by David Thunder, Mark Hoipkemie, and John Thrasher, respectively.

In Chapter 1, "An Ethical Case for Bottom-Up, Polycentric Governance in a Complex Society," David Thunder seeks to complement and further illuminate existing defenses of social and institutional pluralism by more explicitly grounding the case for polycentric governance in the social and institutional infrastructure of flourishing communities. Building off the central value of the "freedom to flourish" and its social preconditions, Thunder lays out three guiding principles for a polycentric regime: individual and corporate voluntarism, proximity of rulers to ruled, and the bottom-up constitution of power. The aim of good governance and sound social coordination, on the approach defended by Thunder, should not be to monopolize the functions of social governance, but to cooperate with other relevant actors in facilitating the expansion of opportunities for human flourishing while fostering and protecting the integrity of the complex, multidimensional infrastructure of human flourishing.



In Chapter 2, “Is an Architectonic Pluralism Possible?” Mark Hoipkemier makes a bold case that Aristotelian thinking about the common good, contrary to popular belief, actually supports the ideal of a free and pluralistic society. Hoipkemier argues that political pluralists have nothing to fear from embracing the politics of the common good, rightly understood. It is a staple of Aristotelian doctrine, on Hoipkemier’s interpretation, that the political community includes and oversees all aspects of human flourishing, while Catholic scholars frequently identify the “common good” as simultaneously including the whole good of the person, and being the proper object of State supervision. But this all-encompassing conception of the common good as something to be promoted by the State seems to license totalitarian meddling in every dimension of supposedly “private” life. In response to this challenge to the philosophy of the common good, Hoipkemier argues that the common good should not be understood in this highly integrated manner. Instead, we should understand the common goal citizens share as the public order among various human goods and projects. In Hoipkemier’s view, this order does concern all of life’s domains, but it only licenses political scrutiny over locally shared goods insofar as their role in this larger order is in question.

In Chapter 3, “Polycentric Justice,” John Thrasher argues for an extension of the concept of polycentricity from institutions and organizations to norms of justice. Thrasher argues that justice as a global standard of legitimacy and a universal evaluative norm is ill-suited to a polycentric system of governance. While polycentric orders need legitimacy in the traditional sense and higher-level regulative norms, both are better achieved through a non-Rawlsian form of contractualism, which is not focused on justifying a universal conception of justice. A polycentric-friendly version of contractualism will justify less substantive procedural norms and institutional rules instead. The insight that polycentric theory leads us to, on Thrasher’s view, is that contractual public justification can generate a standard of legitimacy without relying on justice as a basic norm. This chapter offers an original non-Rawlsian interpretation of contractualism, consistent with a diverse and polycentric social order.

In Part II, three essays address the feasibility of polycentric orders. The contributions come from Dries Daems and Alexander Schaefer, Pablo Paniagua and Kaveh Pourvand, and Vlad Tarko, respectively.

In Chapter 4, “The Problem of Complexity and the Emergence of Polycentric Political Order,” Alexander Schaefer and Dries Daems examine the conditions under which polycentric political systems will likely emerge. Various normative and empirical aspects of polycentric political governance have garnered much attention, but political scientists have yet to closely examine the process through which polycentric political systems emerge. Schaefer and Daems aim to fill this gap by proposing an explanation of the

emergence of the polycentric state. They illustrate their explanation of the emergence of polycentric political order with a comparative case study focusing on Han China's and ancient Rome's governance structures. This chapter is methodologically innovative, using analytic models and historical analysis to understand the formation of polycentric orders.

In Chapter 5, "Whither Stability? Polycentric Democracy and Social Order," Pablo Paniagua and Kaveh Pourvand address a perennial question of political theory, namely how to stabilize a just regime. They view this problem as especially pressing in the context of the highly globalized and diversified social orders of the late twentieth and early twenty-first centuries, and as further accentuated by the emergence of the Weberian state that anchors society under a single, coercive structure of governance, strangely at odds with the fluidity and complexity of modern societies. Paniagua and Pourvand make a case for polycentric democracy as a better solution than the centralized nation-state to the challenge of stability. They argue that polycentric democracies, characterized by plural and overlapping centers of governance, are more robust (anti-fragile) in the face of political diversity, conflict, and instability than their more centralized counterparts, much as a variegated ecology is more robust than a monoculture. This chapter, operating at the intersection of political economy and political theory, offers valuable insights into the resilience and robustness of polycentric political systems.

Our third contribution on the feasibility of polycentric order comes from Vlad Tarko. In Chapter 6, "Self-Governance Solutions to Social Dilemmas: A Polycentric Approach," Tarko argues that effective self-governance is an important tool for solving "social dilemmas," understood as situations in which parties affected by a social problem do not have sufficient incentives to behave in ways that could solve it. Following in the footsteps of Vincent and Elinor Ostrom, Tarko rejects the traditional market-versus-State dichotomy, pointing us to a third approach, in which interested parties can play an active role in creating and developing regulatory and enforcement schemes from the bottom up. This approach is inherently polycentric due to the autonomy it necessarily affords to local actors. Tarko illustrates the power of self-governance as a solution to social dilemmas by explaining how it has been leveraged to solve problems of water governance, and then delves into the theoretical significance of these phenomena in light of debates about self-governance by authors such as Robert Dahl and James Buchanan. Tarko rounds out the chapter by exploring how the concepts of polycentricity and entangled political economy allow us to move from the analysis of small-scale communities to large-scale federal and international organizations.

In Part III, our volume is brought to a close by a set of essays on polycentric law and statecraft.

In Chapter 7, in “Panarchy: Non-Territorial Polycentricity,” Aviezer Tucker defends a “panarchist” theory of state formation. The dominant Westphalian model of the state based on a territorial monopoly over the legitimate use of violence fits seventeenth-century technology, developed at a time when geographical distances could not be traversed efficiently, and even information took months to travel the globe. However, these monistic, top-down conceptions of political order are of limited relevance in a politically, culturally, and economically specialized, fragmented, and globalized world. Panarchy, a meta-political theory of non-territorial states founded on explicit social contracts, was first introduced in 1860 by the Belgian scholar Emil DePuydt. He proposed that citizens may sign a social contract with a State and may change their States without moving. Tucker suggests that in today’s world, where citizens of nation-states have radically different ideas of the common good, panarchy may allow them to live together peacefully, each self-selecting into his or her own preferred contractual arrangement. This chapter shows how the intellectual tradition of panarchy may enrich and complement other forms of polycentric thinking.

In Chapter 8, “Polycentrism, the Rule of Law, and the Intelligibility of Human Rights Law,” Pilar Zambrano inquires whether a polycentric legal system could, potentially, address the challenges that both legal and moral pluralism raise for the intelligibility of law. She describes the fact of legal pluralism and its impact on present-day legal practices, pointing out how bottom-up and top-down sources of law overlap and interact in complex ways not contemplated by top-down, Statist paradigms of law, giving rise to what Francesco Viola calls the “legal space.” She argues that the fact of legal pluralism raises serious difficulties for the intelligibility of law, to the extent that society-wide and global laws tend to be ever more deracinated from embodied social practices. Finally, she argues that this problem seems to point us in the direction of a polycentric theoretical approach to the creation and adjudication of law, though this approach is quite underdeveloped in the philosophy of law.

Finally, in Chapter 9, “The Constitution of Liberties: Polycentric Constitutionalism and the ‘Westminster Export Model,’” Elliot Bulmer argues that a polycentric political and legal framework may not necessarily require novel (or radically old) constitutional ideas and practices, but could be achieved within prevailing constitutional models. It is recognized that much of modern Western constitutional thought is based on monocentric notions: “the People” is often construed as a singular collective actor, expressing a “national will” and possessing nominal sovereignty, in whose name constitutions are made and remade, and from whom all public powers are derived. However, Bulmer reminds us that monocentric popular sovereignty is not the only foundation for modern constitutionalism. In particular,

while the British-derived constitutions that spread around the world in the decolonization era mostly copied the majoritarian governance structures of the “Westminster Model” parliamentary democracy, they also responded to the needs of divided societies by incorporating an array of innovative approaches to the problem of “deep, pervasive and persistent disagreements,” including on matters of religion and identity (De Smith 1964). This final chapter shows how certain constitutional theories and practices are already compatible, in significant respects, with polycentric political systems.

This collection of essays aims to illuminate the idea of a polycentric society in a more comprehensive and multidisciplinary fashion than previous works. We hope that this more philosophically ambitious discussion of polycentric order will open fruitful and unexpected avenues of research, revitalizing the study of polycentric order both in the social sciences and the humanities. We are convinced that only by seriously engaging with and leveraging the ideas of polycentric systems of social organization and governance can we hope to build more resilient, tolerant, and prosperous democracies. We leave it up to the reader to judge whether we have succeeded in contributing, albeit modestly, to this important task.

## NOTES

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2. This definition is broadly consistent with that offered in the introduction to the volume *Governing Complexity: Analyzing and Applying Polycentricity* (Thiel, Blomquist, and Garrick 2019).

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