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CLIP-IN:

Climate Policy Integration in Federal States: Adaptation, Mitigation and Sustainable Development in Austria, Germany and Switzerland

Analytical Framework

by

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1. Topic and context

More and more scholars are drawn to the study of federalism and the impact of federal political structures on policymaking and implementation. This is hardly surprising, for federal polities are common across the globe and, over time, regional tiers of government have continuously grown in strength (Swenden 2006; Hooghe *et al.* 2008). Despite this popularity, researchers from the comparative federalism, climate governance and environmental policy integration literatures are gloomy about the ability of federal states to cope with contemporary cross-cutting challenges, such as climate change (Lane and Ersson 1996: 112; Scharpf 1997: 171; Swenden 2006: 96; Jordan and Lenschow 2008a; Bulkeley and Newell 2010: 16). As a “wicked issue” (Williams 2002: 104), climate change spans multiple sectors, scales and actors, and requires changes in individual behaviour, policy design, implementation patterns, political-economic structures and technological systems to reduce the risks that are associated with it (Bulkeley and Newell 2010: 15).¹ Few activities and few levels of governance are likely to be unaffected by climate change, thus putting pressure on policymakers to integrate and coordinate climate-related policy areas horizontally across different sectors and vertically across different levels of government. This refers to the process of climate policy integration, which constitutes the dependent variable of the CLIP-IN project. To reflect its multi-faceted character, we define climate policy integration as the development of a set of tools to change the process of policy-making (i) across policy sectors, (ii) across levels of governance within the same policy field, and/or (iii) across sectors and levels of governance at the same time, to ensure that climate mitigation and adaptation objectives are taken into account (weak interpretation) or even given “principled priority” (strong interpretation, see Lafferty 2002). Such a comprehensive definition represents an innovation with respect to the state-of-the-art in policy integration studies, where the related concept of environmental policy integration is frequently used: the study of environmental policy integration mainly concentrated on horizontal integration between a number of sectors (such as the environment, transport, energy, industry or building, see Galarraga *et al.* 2011) and often ignored integration in its vertical and/or diagonal modes (Mickwitz *et al.* 2009).

Climate policy integration is particularly challenging in the context of formulating and implementing integrated strategies on climate change adaptation, mitigation and sustainable development (Mickwitz *et al.* 2009). Integrated strategies are generally conceived as middle- and long-term visions aiming at redesigning policy regimes, for which the coordination of domestic actor activities towards the integration of mitigation and adaptation objectives across policy sectors and levels of government is crucial. Since they are instruments involving different sets of measures, different policy sectors, different regional scopes, and different actors and actor types (Rayner and Howlett 2009), facilitating integration with such broad strategies is much more challenging than the integration of concrete policies.

But *why study climate policy integration in federal settings?* Federal states are thought to “double tax” the process of (climate) policy integration. Indeed, federal systems have a prominent vertical fragmentation of competences, which requires additional coordination efforts (regional, local) and which may also produce diagonal interactions across sectors and levels. In other words, this is the setting where vertical and/or diagonal policy integration is most likely to emerge and therefore be studied. Yet, despite having additional coordination needs, few works investigate the panorama of climate governance in federal systems (Gupta 2007; Jordan and Lenschow 2008). Although research has been performed on the governance of mitigation and sustainable development policies, less is known about the governance of adaptation (Klein *et al.* 2005: 580) and even less is known about how strategies contribute to integrate climate aspects into various sectoral policies at different levels of government. Moreover, little is known about how the federal division of power, competences and resources impacts upon integration in general (Wurzel 2008), and climate integration in particular.

Looking at the comparative federalism and international governance literatures provides some cues on federal-style policymaking and implementation. For example, and of importance to climate policy, scholars often argue that the action of federal states is curtailed when engaging in international negotiations on, *inter alia*, climate change (Compston 2009; Hudson 2012: 3). When climate-related competences are fragmented across levels of governance, federations are unable to agree on appropriate policy measures stemming from

¹ Actors here refer to veto and non-veto players. Veto players are particularly relevant when they can derail, halt or push forward the policymaking and implementation process (Tsebelis 1995; Fiorino 2011: 384). They are determined by looking at their number, ideological distance and, if grouped in a coalition, their cohesiveness; as well as by their nature. There are institutional veto players (e.g., legislative chambers, inter-executive meetings, planning committees, the judiciary, referenda) and partisan vetoes (e.g., political parties, interest groups). It is also important to identify which player holds the agenda-setting power for this position confers additional policymaking authority. However, non-veto players may also influence policymaking and implementation and therefore will also be considered here.

international fora and/or are incapable of efficiently implement international agreements on climate change without engaging their regional levels. Indeed, federal-style policymaking resulting from bicameral legislatures and shared or divided implementation exacerbate collective action dilemmas, otherwise typical of policymaking and implementation processes (Scharpf 1988). Scholars believe that as layers of government grow in number, so do the institutional parameters, the actors shaping policy and the costs of reaching a compromise (Tsebelis 1995, 2002), especially if unanimity is the decisional rule (Buchanan and Tullock 1965). Compulsory negotiations across levels to reach compromise may lead to difficult and lengthy bargaining processes, deadlock, log-rolling, lowest common denominator solutions, package deals and/or inefficient side-payments (Scharpf 1988, 1997: 143, 2006: 848; Benz 1994: 118-127), as well as cross-level turf wars, competition, unresponsiveness, inattention, inaction and/or evasion of responsibilities (Nice 1987; Scharpf 1988; Treisman 2000; Kunce and Shogren 2005: 214; Wibbels 2005). Moreover, scholars note that a failure to vertically coordinate levels of governance in a federal system may produce redundant, incoherent or incomplete policy (Peters 1998: 296; Goulder and Stavins 2010; Galarraga *et al.* 2011: 165), especially in space-related policy areas (Braun 2000). Contrary to these opinions, other scholars find that federal systems are not structurally prone to inefficiency (Benz 1999). In certain cases, federal settings can avert blockades (Keating 1998, 2001; Swenden 2006) and perform relatively well (see Wälti 2004 for environmental policy). Public choice research also shows that societies everywhere can learn to overcome collective action problems (Ostrom 1991).

A priori then it is not clear how climate policy integration is performed in federal systems and what the “net effect of federalism” on climate integration actually is. The CLIP-IN project aims at filling these various gaps to understand and encourage climate policy integration if and where it is underdeveloped. Whether integration is a successful process (or not) depends upon how climate-related integrated strategies and laws envisage coordination, and how these instruments function within a given vertical distribution of power, competences and resources across levels of governance. As these are never evenly distributed within a state for all policy areas, let alone across federal states, studying climate policy integration in federal settings has to take these “varieties” of federalism into account (Abromeit 1993). Importantly, climate-related policy configurations are likely to activate different constellations, with different actor types (administrative, political, interest groups), located at different levels, each with its own set of competences, resources and incentives, and with the possibility (or not) of moving across levels vertically and/or diagonally to influence the policy process, and thus push for policy integration. More specifically, certain measures may deal with climate-related areas that are decentralised, centralised and/or shared across levels of governance; or that are exclusively dealt at one level from policymaking to implementation; or that are functionally split across levels with federal legislation or co-legislation and regional implementation.²

As mentioned earlier, the CLIP-IN project focuses on how thematically related strategies on mitigation, adaptation facilitate the various modes of climate policy integration in federal settings. As climate policy integration is also envisaged in climate change laws, they are analysed together with mitigation strategies. It does so by studying integration processes in three federal states, namely Austria, Germany and Switzerland. All three countries have well-defined regional tiers of government (the *Länder* in Austria and Germany; and the *Kantone* in Switzerland) with different institutional configurations for areas related to climate policy. Moreover, all three have developed policy instruments, such as coordinating integrated strategies, action plans on climate change adaptation and mitigation and/or have adopted climate change laws (Mickwitz *et al.* 2009).³ These strategies and laws (and their impact on selected policies) have neither been analysed jointly nor compared to each other. Therefore, CLIP-IN fills several gaps in the literature of policy integration. At the same time, it provides an opportunity to analyse how climate integration has fared thus far in federal settings. Providing knowledge about this experience is likely to be of great value to scholars, policymakers and other stakeholders working in climate-related areas. Their awareness on, *inter alia*, good practices and challenges encountered, linkages, pitfalls and synergies in climate-related policy integration can help them produce more “rational”

² Although theoretically it could also happen that regions are responsible for policymaking and the federation for implementation, empirically this situation has never been observed to date (Swenden 2006).

³ CLIP-IN need not analyse the impact of Europe on national policy integration. *First*, Europeanisation is likely to affect all regions (Swenden 2006: 2). *Second*, the impact of Europeanisation has been studied widely elsewhere (Hooghe and Marks 2001; Börzel 2002), whereas the impact of federalism is less commonly researched. *Third*, although EU-level activism has been crucial in the development of a structured and comprehensive approach towards policy integration in the environmental and climate change areas (Persson 2004: 9; van Schaik and Schunz 2011: 1), the success of these initiatives depends upon domestic-level policymaking. As several scholars show, member states are notorious for not transposing correctly and/or on time EU legislation (Falkner *et al.* 2005).

policies (Underdal 1980) and guide future rounds of policymaking in the area. There are three sets of questions guiding our research, namely:

1. How can horizontal and vertical climate policy integration be designed effectively in federal state settings? What conditions hinder/facilitate respective coordination efforts?

2. What functions do integrated strategies have in the horizontal and vertical integration of climate change mitigation and adaptation in federal states? What can newer adaptation strategies learn from older mitigation strategies?

3. In how far do the characteristics of a federal system shape climate policymaking?

The governance and performance of integrated strategies and climate change laws is assessed not only in general terms (policy development and implementation at different levels) but also based on the degree of climate policy integration achieved in selected policy fields. For each country, a comparison of the three strategies and how they affect policy integration in the field of building policy.⁴ To guide and focus the case study research performed in later stages of the project this paper proposes a number of conceptual definitions and research questions around which the three within-case analyses are built upon. A cross-country comparison will be performed to illustrate major climate integration patterns and trends in various federal settings. A number of questions will also be put forward to guide the cross-case analyses. In other words, this paper provides the analytical frame for the case study research of Work Packages 3 and 4. It proceeds as follows. *First*, it focuses the research on concepts that play a key role in the individual case studies, the sector-specific analysis, the within- and cross-case comparison of strategies. To do so, it connects the concepts of policy integration and federalism, based on a review of the literatures on environmental policy integration, climate policy integration and environmental federalism. This section also makes a short digression on the concept of multi-level governance. The *second* section provides a more specific conceptual framework to guide the case study work. Finally, the *third* part of the paper presents some initial remarks on a number of policy fields that could be selected for closer analysis and the *fourth* section presents the institutional setup of Austria, Germany and Switzerland.

2. Policy Integration and Federalism

2.1. Integrated strategies and climate policy integration

Climate policy integration is the dependent variable of the CLIP-IN project. A cursory look at the literature illustrates that the broad concept of policy integration has been defined in disparate ways and that it has often been applied to the area of environmental policy (Nilsson and Persson 2003: 335; Persson 2004).⁵ In general terms, policy integration can either be (i) active (when actors deliberately coordinate to achieve integration), (ii) defensive (when actors delimit the effects of integration but still engage in some form of coordination) or (iii) indirect (unplanned instances of integration, see Lenschow 2002). More specifically, we will define climate policy integration as the process of developing a certain set of tools to ensure climate-related policymaking and implementation processes integrate climate concerns, to some extent, (i) across policy sectors (horizontal coordination), (ii) levels of governance within the same policy field (vertical integration), and/or (iii) across sectors and levels of governance (diagonal integration). The concept of diagonal policy integration has not been tested empirically but can be thought of as an additional mechanism to match climate-related “cross-scale interdependencies” with “cross-sector” linkages (Adger *et al.* 2005: 79). Notwithstanding this, it is important to note that climate policy integration is related to environmental policy integration: while the latter refers to the environment, the former focuses upon climate-related aspects only and is relevant to a smaller number of policy fields, such as energy generation, transport or space heating. These are sectors affecting climate-related mitigation, adaptation and sustainable development policies. Mitigation policies aim at reducing the sources or enhancing the sinks of greenhouse gases to prevent the potential effects of climate change; adaptation policies aim at building adaptive capacities to increase the ability of various actors to adapt to climate change or to improve adaptation directly by putting capacities into action (Adger *et al.* 2005); and sustainable development policies aim at preserving the environment so that human needs can be met in the present and for generations

⁴ As adaptation policy is still unfolding, we decide to focus the analysis upon policies related to mitigation, which have a longer tradition, present competences at federal and regional levels and therefore allow us to study all dimensions of climate policy integration.

⁵ In environmental policy integration, this is also known as institutional fragmentation, sector specialisation, departmental pluralism or functional differentiation (Persson 2004).

to come, and therefore involve environmental, economic and socio-political sustainability measures (Steurer 2008).

Policy integration is perceived as a relatively challenging task. The rise of sectoral compartmentalisation has put pressure on public authorities to assume more coordination and network activities, yet in practice institutions and the actors representing them lack an overall long-term vision that promotes such behaviour (Steurer 2007; Davies 2009: 81). This is especially true if they are to lose competences, powers and/or resources in order to produce coordinated policy. As self-interested actors do not always find it profitable to relinquish their powers, competences and resources for the sake of coordination, they will undoubtedly block the process of integration if it goes against their interests. The literature on environmental policy integration illustrated how integration often results in winners and losers (Lenschow 2002: 34) and inefficient cross-sectoral bargains (e.g., parallel implementation of contradictory policies, adoption of costly end-of-pipe technology, see Hertin and Berkhout 2001) and the same may be expected for climate policy integration. Scholars believe that the larger the amount of changes required by policy integration, (i) the greater the number of potential losers and, hence, (ii) the greater the opposition to this process (see North 1990) and (iii) the worse the end result of integration (Tsebelis 1999, 2002; Lenschow 2002). This implies that in order to study integration processes, we will need to focus upon domestic institutions and the interests of actors (Nilsson and Eckerberg 2007: 3; Jordan and Lenschow 2010: 150).

In the case of environmental policy integration, the stimulus for integration typically emanated from environmental ministries and/or agencies. Yet, scholars show that the environmental portfolio has a comparatively lower status in governments, tends to be involved in the last stages of policymaking, if involved at all, and is seen as adding restrictions and costs to the economy and a state's competitiveness (Jordan and Lenschow 2008a).⁶ Other actors that could influence integration, such as environmental interest groups, tend to have less influence and resources compared to economic advocacy groups. The influence of both camps has been, historically, asymmetrical (Polk and Schmutzler 2005; Vogel *et al.* 2010: 18). All in all, the challenging nature of policy integration, *per se*, the lower status of the environmental portfolio, agenda-setter in these matters, and the asymmetrical influence of external actors in favour of it, have all been identified as key factors behind the half-hearted support shown by policymakers with respect to policy integration (Jordan and Lenschow 2008a). As in the case of environmental policy integration, environmental ministries have been behind the initial push for integrated climate policy strategies in these areas.

Integrated strategies on mitigation and adaptation as well as climate change laws, represent the thematic focus of the CLIP-IN project. They were designed to meet the significant administrative, temporal and spatial challenges posed by climate change (Adger *et al.* 2005; Urwin and Jordan 2008; Mickwitz *et al.* 2009; Biesbroek *et al.* 2010: 445). In sum, they attempt to reshape disjointed and incremental policymaking and implementation on climate change so that trade-offs are reduced and synergies increased and government policies show "minimal redundancy, incoherence and lacunae" (Peters 1998: 296).⁷ They constitute documents, governing processes and capacity-building efforts (Jacob *et al.* 2012). As a document or a series of documents, they establish a set of middle- to long-range goals and list a number of soft and/or hard measures (Rittberger and Richardson 2003; Steurer and Martinuzzi 2005). These can either be (i) informational or communicative (based on knowledge, to persuade, highlighting options and consequences, e.g., websites, workshops, leaflets; visions and long-term objectives guiding other efforts), (ii) economic and/or fiscal (to influence behaviour through financial and market forces, e.g., taxes, subsidies), or (iii) legal (through laws, directives and regulations).⁸ These can, in turn, be (a) organisational (relate to governmental architecture, interaction of actors within and outside of government, power structures, resource allocation, budgeting and capacity)

⁶ Responses to this challenge have been to integrate departments and functions, to establish new institutions or assign existing institutions a new mandate, responsibility and/or accountability mechanisms.

⁷ Redundancy refers to a situation where two organisations perform the same task; lacunae happen when no organisation performs a necessary task; and incoherence when policies for same clients (society) have different goals and requirements. Coordination problems increase as we move from overlap to incoherence and can be characterised by, e.g., a multiplicity of redundant structures without a method of organisation among or between them, lack of common agendas, priorities that are organised without consideration of the actions of other relevant actors, open conflict, competition and/or collaboration reticence, especially in the face of intervention by another organisation or if the administrative culture and routines of a bureaucracy are modified profoundly by policy integration (Hertin and Berkhout 2001). This, in sum, may contribute to the dysfunction of a policy area altogether (Jacob and Genard 2011: 542).

⁸ We distinguish between concurrent legislation, that is, legislation for which policymaking competences are shared between both levels of governance; framework legislation for which the federal level sets a number of objectives to be freely implemented by the regions; and exclusive legislation.

and/or (b) procedural (alter decision-making procedures for e.g., law-making, appraisal or budgeting). Soft measures include legal frameworks, informational instruments, financial incentives or voluntary agreements; hard instruments refer to detailed regulation. They may be geared towards public actors (governments, ministries, agencies) and/or to non-state and private actors (political parties, interest groups); they may require specific action from these actors or leave open how they are supposed to act. As governing processes they aim at coordinating policy areas horizontally across sectors and vertically across levels of government. They may also prescribe the interaction with and of stakeholders and other key actors (Rayner and Howlett 2009). In the case of federal states, strategies not only target a specific climate-related sector or sectors, they also aim at a specific level of governance, depending upon where the policymaking and implementation powers, competences and resources rest or are foreseen to be located (local, regional, federal levels, see Mickwitz *et al.* 2009). Mitigation, adaptation and sustainable development cut horizontally across policy sectors (energy, economic, environment or transport) and in federal systems vertically across levels of governance (Urwin and Jordan 2008), as well as diagonally across sectors and levels of governance (Berger and Steurer 2009).⁹ Finally, integrated strategies constitute capacity-building and awareness raising efforts that aim to establish a knowledge base (e.g. by stimulating and brokering scientific research), trigger and orchestrate informational policies, establish networks among key actors and/or maintain communication and reporting cycles (Jacob *et al.* 2012).

Before proceeding with a discussion of the “federal effect”, however, it is important to note that scholars of environmental policy integration have looked at a number of variables that motivate and/or facilitate the task of integration. These could also emerge in the present study of climate policy integration and could be integrated, if detected, in later stages of the research project. In particular, these are the presence of favourable public administrative narratives and culture (Lenschow 2002; Steurer 2007: 206), political will, leadership, sustained commitment, a centre-left or green partisan composition of government, (Jordan and Lenschow 2008a: 5; see on party politics generally Crepez 1995; Jahn 1998: 124), cognitive frameworks (e.g., consensual policymaking or legalistic style), public opinion and political ownership (Vogel 1993: 258; Jordan and Lenschow 2010: 152), international pressure, external events, the realisation of economic opportunities and role models (Biesbroek *et al.* 2010; Harrison and Sundstrom 2010: 272-278). However, these variables may not be relevant to explain climate policy integration in federal settings because the literature from which they are derived mainly focused upon the dynamics of horizontal integration and did not differentiate between unitary and federal states (Lenschow 2002; Nilsson and Persson 2003; Rayner and Howlett 2009: 167). Hence, these issues will be left open to empirical investigation.

2.2. Federalism and its net effect on climate policy integration¹⁰

Based on the work by Swenden (2006: 9-11), federalism here refers to a constitutionally guaranteed division of policymaking powers between centre and regions and it can be strong or weak.¹¹ *Strong federalism* refers to a situation where a regional or lower chamber brings political actors from lower-tiers to (i) co-legislate with representatives from the federal or upper chamber in a number of policy areas; (ii) give their consent to a given policy that affects them; and/or (iii) cast a suspensory veto on certain areas (Riker 1975: 101). In these policy areas, federalism adds an additional layer of regional actors with veto powers and disparate mandates stemming from their constituencies and own institutional self-interests (Pierson 1995: 460). As both levels are tightly coupled, strong federalism gives rise to “compulsory negotiations” (Scharpf 1988: 2002, 1997).¹² Cross-sector and cross-level coordination, as well as their simultaneous interaction, tends to be highly formalised.

⁹ A sector is here understood as a group of regularly interacting actors that have more in common internally than with other external actors (Persson 2004: 15).

¹⁰ Conceptually, federations are often analysed through the lenses of democratic participation, representation, accountability and political institutions (North 1990; Koelble 1995; Erk 2006: 104; Erk and Swenden 2010: 5). Relevant to us here, is the institutional perspective and respective implications on climate policy integration.

¹¹ In particular, a federal system is characterised by having at least two orders of government, constitutionally enshrined autonomy for the lower level, regional representation at federal level (2nd chamber), bicameral consensus required for constitutional changes, an “umpire” (federal courts and/or referenda as referees in the polity), collaborative intergovernmental relations when sharing or overlapping responsibilities, territoriality, democracy at both levels and no unilateral secession possible.

¹² Actors can be coupled across levels and sectors sequentially or simultaneously; formally or informally; bilaterally or multilaterally; tightly or loosely (see Benz 1995).

Reaching a compromise in these circumstances is often difficult because regional and federal actors are faced with mixed motive games in which their preferences are partly harmonious and partly in conflict. Agreement is only possible if each actor involved expects joint solutions to be more advantageous than the *status quo* but solutions in these cases can only come by respecting vested interests and/or adding new means to solve them. A solution is more probable with respect to “level issues” (*Niveauproblem*), that is, when all actors are required to increase/decrease the amount of a certain action but is more difficult when costs are well defined and certain but benefits are diffuse and uncertain (Scharpf 1988). As a result, the system leads to a “trap”, that is, an institutional arrangement in which outcomes have an inherent tendency to be sub-optimal (Scharpf 1988: 271) leading to, e.g., overlaps, duplications, side-payments, package deals, immobilism or gridlock (Adler 2005; Buzbee 2005). “Trapped” coordination harms the common good (Scharpf 1997: 69-79) and the ensuing frustration can also motivate regional and/or federal actors to produce further sub-optimality (e.g., policy pre-emption, implementation failure, opposition through the backdoor). In the presence of strong federalism, then, climate policy integration is a cumbersome process that involves several players at various levels and in various sectors. Coordination is based upon compulsory negotiations that may be more or less cooperative, uncooperative, competitive and/or conflict-ridden, depending upon actor strategies and what is at stake for them.

But the impact of federalism in a given policy area can be substantially watered down (i) when the powers of the second chamber are low or limited to a number of areas or aspects of a policy area (weak federalism) and/or (ii) when regions do not have a *right to act* in their own spheres of authority, or cannot do so, because (a) they lack the necessary resources to do so and/or (b) implementation lies in federal hands. The *first* point refers to *weak federalism*, regional actors do not participate in climate-related policymaking because competences are allocated at either regional or federal level, or are shared but regions can be sidestepped because they have no veto rights to formally influence the policymaking process or only have a consultative status. In this case, policymaking resembles that of unitary states because it does not result in additional veto players. Lack of joint policymaking reduces the task of policy integration to horizontal forms of cross-sectoral integration. However, if the second chamber co-legislates even in relatively unimportant policy areas or does so in minor aspects of a policy, as measured by the impact and amount of resources the area in question commands, federalism still requires a minimal amount of cross-level coordination as described before.

The *second* point is determined by the degree of decentralisation of a federal polity, a concept that is often confused with that of federalism although both characterise separate aspects of a polity (Braun 2000; Wachtendorfer-Schmidt 2000a: 5; Keman 2000; Ortino 2005: 281; Swenden 2006; Biela and Hennl 2010: 158-9). Decentralisation refers to a functional division of tasks across levels whereby lower units are able to implement legislation and have sufficient resources to do so.¹³ Thus, in some fields, implementation falls in the hands of the federal government, while in other fields this function corresponds to the regions. In other policy fields, both levels may share this task, e.g., the federal level implements some aspects and the regions implement other aspects. Decentralisation can be strong or weak. *Strong decentralisation* refers to a situation where a polity has no or few centralised functions in areas related to climate policy. In this case, most climate-related competences and resources fall on the regional level and no or few aspects are dealt at the federal level or are shared across levels of governance. Yet, the more aspects of policy implementation are delegated to the regional level, the more lower-tier efforts need to be coordinated to avoid gaps, incoherence and redundancy (Davies 2004, 2009; Falkner *et al.* 2005) and avert inter-regional competition (race-to-the-bottom scenarios). Strong decentralisation may also be highly formalised, for example, when federal legislation leaves little room for regional action or is clear about how resources are to be spent. Coordination in this scenario may also lead to uncooperative, conflict-ridden and competitive forms of cross-level and/or cross-sector coordination and studying policy integration, which again requires looking at actor strategies. However, it is also likely that more flexible coordination takes place if actors are loosely coupled. Benz (1998: 563-5) shows that such systems are less prone to inefficiency and deadlock because negotiations are not mandatory and actors do not or cannot legitimise each decision to their constituency, and decisions are made by few actors after hearing and evaluating the arguments and information from other actors. Finally, *weak decentralisation* refers to the case where regions have no competences in climate-related areas. The centralisation of governance functions annihilates the autonomy of regional actors, especially in the presence of weak federalism (Burgess 2006). In such a setting, pushing for climate policy integration depends entirely upon the

¹³ Some authors find additional types of decentralisation. For example, Schneider (2003) distinguishes between fiscal, political and administrative decentralisation. Treisman (2000) developed a fivefold typology composed of structural, decision-making, resource, electoral and institutional decentralisation. Here, we need not look at all possible types of decentralisation and focus upon which level is assigned with administrative and/or decision-making tasks.

federal level and the analysis therefore only concerns horizontal integration. Whether the state is federal or not should make no difference to the study of policy integration.

Regarding the net effects of federalism on environmental or climate policy integration, research findings are contradictory. On the one hand, scholars from the environmental policy integration literature claim that the capacity to integrate policy is lower in federal settings, although few works actually look at how the fragmentation of competences impacts integration (Persson 2004: 24; Eberhardt 2005: 407; Galarraga *et al.* 2011: 164). On the other hand, the environmental federalism literature has not resolved the issue of whether federalism matters (Adler 2005: 132), finding little or no impact upon performance indicators (Héritier *et al.* 1996; Knill and Lenschow 2000; Börzel 2003; Scruggs 2003: 183-7) or mixed evidence on its net impact on policymaking and implementation (Kelemen 2004; Wälti 2004; Adler 2005; Buzbee 2005; Bulte *et al.* 2007: 157; Vogel *et al.* 2010: 3; Hudson 2012).¹⁴ More specifically, these scholars have not resolved whether federal systems (i) promote small government, hence lower coordination and monitoring costs; (ii) produce efficiency in public good delivery, thus also effectiveness, innovation, incremental improvement, local tailoring of national goals and policy learning (Keman 2000: 212; Buzbee 2005: 121-2)¹⁵; and/or (iii) grant interest groups and other stakeholders more entry points and influence in policymaking and/or implementation (Gray 1973; Lowery *et al.* 1995; Foster 1997; Cai and Treisman 2001; Coen 2005).¹⁶ These effects are of interest to the study of policy integration but stem from studies primarily based upon US-style “dual” federalism (USA, Canada, Australia), although there is also some work on the European Union (e.g., Vogel *et al.* 2010) and European states (e.g., Kahlenborn and Zimmermann 1994; Kraemer 2007). Moreover, most of this scholarship rests upon ideal micro- and macro-level assumptions that are not always verified empirically (Erk 2006: 106), are inapplicable to all federal settings, especially to continental forms of European federalism, or are inappropriate for the study of deeply cross-cutting policy sectors, such as sustainable development or the mitigation of and the adaptation to climate change.¹⁷ This is why comparative federalism scholars believe the answer to the question of the net effect of federalism depends upon how a federation organises policymaking and implementation for each policy field; and, in turn, how domestic actors make use of this setting (Rodden and Wibbels 2002: 496; Erk 2006: 110; Swenden 2006: 94; Erk and Swenden 2010: 8). Above we have seen that one cannot speak of federalism as such but only of “varieties of federalism” (strong, weak, etc., see Abromeit 1993). From this discussion, we thus conclude that these “varieties” exist even within a single country, varying across policy fields and the distribution of competences, powers and resources across sectors and levels. The internal organisation of a given policy field and the type of federalism of the country are relevant variables to the present study of climate policy integration precisely because our selected policy fields, addressed by the integrated strategies and climate change laws, inevitably fall into one variety or another of federalism that regulates the field from which they emanate.

Summing up, variance in domestic federal institutions implies that federations cannot be lumped into a single analytical cluster (Pierson 1995: 451). Relationships between central and subnational governments are never constant and indeed change from policy area to policy area and over time (Hudson 2012: 29). This is due to the fact that policymaking and implementation resemble a “marble cake” rather than a neat “layer cake”

¹⁴ Looking at other policy areas, the literature is equally ambiguous about the net impact of a federal structure on policymaking and implementation (Wachendorfer-Schmidt 2000a: 3). For example, the assumed macroeconomic benefits of federalism (better macroeconomic performance, lower inflation rates, lower governmental expenditure, lower unemployment rates, a balanced budget, higher economic growth) are far from clear (Brennan and Buchanan 1980: 181; Scharpf 1991: 212; Busch 1993: 65-9; Crepaz 1996; Lane and Ersson 1997; Lijphart 1999; Castles 2000; Lancaster and Hicks 2000; Rodden 2003; Treisman 2007). The same can be said on social policy and the welfare state (Kriesi 1995; Pierson 1995; Pierson and Leibfried 1995; Schmidt 1996; Obinger *et al.* 2005); regional development (Hoffman 1981); public policy more generally (Braun 2000; Keman 2000: 196; Wachendorfer-Schmidt 2000b); EU integration (Scharpf 1988; Jeffery and Sturm 1993) or the implementation of EU legislation (Falkner *et al.* 2005).

¹⁵ This issue is especially important in the face of inter-regional and international spillovers, such as climate change, profiting from economies of scale (scientific research, data collection, technical analyses, regulation of inter-regional trade), the establishment of regulatory “floors” and “ceilings”; or to solve collective action problems and supervene the threat of special interest influences at the regional level (List and Gerking 2000: 455; Kuncze and Shogren 2005).

¹⁶ An additional benefit is that it promotes factor mobility as citizens can “vote with their feet” and “exit” jurisdictions so as to get the most attractive package of taxes and services, thus reinforcing regional competition and efficient public good provision, as well as innovative competition (Coleman 1987; Lowry 1992: 4-7).

¹⁷ At the micro-level, citizens and firms are fully informed about which level of government provides services, citizens are highly mobile in response to diverse public-service bundles and decentralised politicians are benevolent and understand local preferences better than national counterparts. At the macro-level, a clear division of authority and policy responsibilities among levels of government is thought to exist.

(Grodzins 1960), hence policy areas can be federalised and/or decentralised at different levels, thus having a different impact upon the process of climate policy integration. Importantly, coordination and integration can be cooperative (understood in its bilateral sense, that is, when cooperative federalism is top-down and bottom-up), especially when levels of governance are loosely coupled (weak federalism, strong decentralisation); or uncooperative, conflict-ridden and/or competitive, notably if actors are tightly interlocked (strong federalism, strong decentralisation). Federal systems may also resemble unitary settings in terms of coordination and integration (weak federalism, weak decentralisation). The bargaining mechanisms typical of each policy setting in a federation are likely to constrain actor incentives, behaviours and strategies (Budge and Keman 1990; Keman 2000; Castles 1998: 108). Domestic actors will be imprinted by the federal distribution of powers, competences and resources, as they will be present at different levels, have different functions, goals, values and cultures. The advocacy of each actor, however, is also unstable and changes from policy area to policy area and in response to shifts in political majorities or voter preferences and actors may take contradictory actions to claim credit in different constituencies (Buzbee 2005).

2.3. Federalism and multi-level-governance

Before proceeding, a digression is necessary to delimit the concept of federalism from that of multi-level governance. A federal state is often seen as a type of multi-level governance, although federalism is rarely studied using this perspective (Scharpf 2000; Hooghe and Marks 2003).¹⁸ Multi-level governance is an umbrella concept referring to the “dispersion of authoritative decision-making across multiple territorial levels” (Hooghe and Marks 2001: xi; Hooghe and Marks 2003: 234; Piattoni 2009: 172) and where the interaction of political actors across levels is necessary (Marks *et al.* 1996: 167). This includes both state and non-state actors (Ruza 2004). Multi-level governance identifies two ideal types of governance to understand cross-level intergovernmental relations, namely type 1 and type 2 (Hooghe and Marks 2003: 236-7). A full definition of these types cannot be provided here (see Hooghe and Marks 2003) but suffice to say that type 1 multi-level governance divides governance across a limited number of stable territorial jurisdictions (exclusive membership), replicating institutional structures and with non-intersecting territorial memberships; while type 2 multi-level governance is anarchical, based on a fluctuating superimposition of single purpose, independent jurisdictions with overlapping memberships (see Skelcher 2005: 94; Piattoni 2009: 171). Federal states represent type 1 multi-level governance; while type 2 can be found in any federal or unitary state. Federal states may display type 2 multi-level governance when the centre or the regions stimulate the creation of functionally-oriented associations with political and fiscal autonomy (see the concept of polycentricity in Polanyi 1944; Ostrom and Ostrom 1965: 135-6; Aligica and Tarko 2012).¹⁹ In theory then, this could be a powerful ally to understand policy integration in federal states (Skelcher 2005: 94) but this is not the case:

- (1) Multi-level governance may refer to a set of processes, situations, strategies or structures (Piattoni 2009: 163). For Börzel (2010: 194) it merges both structure and process, where process refers to modes of social co-ordination and structure relates to institutions and actor constellations (Scharpf 2000). For our purposes, looking at the distribution of powers, competences and resources through the concepts of federalism and decentralisation provides a clearer understanding of how federal structures impact upon policymaking and implementation processes.
- (2) Multi-level governance relies on *ad hoc* networks of legitimate assemblies meeting with public and private, individual and collective actors. As seen before, regional units can contribute to policymaking processes on an equal footing without at least some form of coordination in federations in only one situation (weak federalism, strong decentralisation).
- (3) Even the actor-centeredness attributed to multi-level governance does not stand to support the approach because the study of federal systems may also rely upon an actor-centred perspective (Scharpf 1997).
- (4) The fact that all federations are type 1 largely ignores the long-standing literature on comparative federalism and the various forms of federalism, as discussed earlier. Also, although type 2 multi-level governance may vary across states, it may also vary across regions within a federal system. If that is the case, the type of federalism and decentralisation in specific policy areas reappear as crucial factors (Swenden 2006: 20).

¹⁸ Other concepts such as multiperspectival governance, polycentricity, condominio or fragmentation will not be discussed.

¹⁹ Polycentricity refers to a social system with many decision centres having limited and autonomous prerogatives and operating under an overarching set of rules.

- (5) Multi-level governance may prove more useful in contexts where constituent units can withdraw from the system and where the lower-tier political systems are heterogeneous (e.g., international regimes, the EU). In such fluid contexts, different levels can be travelled and linked by institutional and non-institutional actors, a picture that is not readily applicable to the nation-state, regardless of how much the powers of the centre are federalised and/or decentralised, or have withered due to globalisation, Europeanisation or other secular processes (Goetz 2008: 271). Even if multiple access points are possible in federal states, it may be more reasonable to speak of “multi-level participation” (Bache 1988: 155) because policy arenas usually remain under the control of a gatekeeper and an increased number of access points does not automatically imply more influence in federal states.

3. Framework for case studies

Based on the previous conceptual discussion, this section helps organise the research of the empirical parts of the CLIP-IN project. In particular, it focuses upon (i) the federal setting of Austria, Germany and Switzerland; (ii) climate governance in these three countries in general as well as (iii) the role of integrated strategies and laws in climate policy integration in particular; and finally it explores (iv) climate policy integration in a selected policy field, i.e. building policy, for which competences are located at the federal and/or regional levels. By doing so we aim at tackling some major gaps in the climate policy and comparative federalism literatures, in particular the recourse to vertical and diagonal modes of integration and the impact and role of federal settings in climate policy integration. The three main questions guiding the case studies are:

1. How can horizontal (cross-sector) and vertical (multi-level) climate policy integration be designed effectively in federal state settings? What conditions hinder/facilitate respective integration efforts?
2. What functions do integrated strategies have in the horizontal and vertical integration of climate change mitigation and adaptation in federal states? What can newer adaptation strategies learn from older mitigation strategies?
3. In how far do the characteristics of a federal system shape climate policy making?

In addition to the within-case comparison of WP3, this section also creates a common analytical framework that facilitates the study of common patterns and trends for the cross-country comparison of WP4 (see section 3.2). Finally, this section introduces a number of variables that may be of relevance when engaging in the empirical studies, such as the level of party centralisation, issue saliency, personal commitments and leadership, as well as consensual participation and neo-corporatist patterns.

3.1. Within-case analysis

a) Climate governance in the federal setting

The first step in our within-case analysis is to look at the federal organisation of policymaking and implementation in Austria, Germany and Switzerland. In democracies, basic constitutional structures channel the development of day-to-day politics (Kelemen 2004: 160) and determine which actors have access to the policy process and which formal modes of coordination are predominant. Constitutions tell whether federalism is strong or weak, whether decentralisation is strong or weak, the predominant mode of coordination to run the federation and whether actors are loosely or tightly actor coupled (Benz 2000: 38). Constitutions vary in length and detail, as well as in the extent of cooperation they envisage across policy sectors and among federal and regional units for each policy field (Swenden 2006). In addition, informal norms and routines will also have to be analysed. Hence, we aim to answer the following questions:

- What are the key characteristics of the federal system that are particularly relevant for climate change mitigation and adaptation in general?
 - At which level are which responsibilities anchored for climate change mitigation and adaptation in general?
 - Who are the key public and private actors in mitigation and adaptation in general? Who has what formal or informal competencies (e.g., in formulation, implementation, evaluation)? In particular, what are the powers of the federal executive and the second chamber in these fields, if any? Which role do regional actors play in climate policymaking and implementation?

- What are the key mitigation and adaptation issues in the housing sector? What are the key characteristics of the federal system relevant for these issues? What level of government and which actor is responsible for what?

b) Climate mitigation and adaptation strategies (plus climate change laws in Austria and Switzerland)

The analysis then turns to the governance of climate change mitigation and adaptation policies with integrated strategies. Information on this is gathered from the strategies themselves, as well as from interviewing policymakers and key stakeholders involved in climate policy integration.

- What exactly is the integrated mitigation/adaptation strategy or the climate change law and what are its/their intentions?
 - Is it a single document/law with broad, multi-sectoral and multi-level objectives? Is it a collection of several documents/laws, covering different issues, sectors, or regions?
 - Who developed the strategy/strategies/law? In how far were actors from other sectors and levels of government involved in their formulation? Why were they developed (internal or external impulse; if internal: from what actor/level of government)?
 - Policy document: What are the self-declared purposes of the strategy? Does a particular strategy/law claim to represent a policy document, a cyclical governing process, and/or a capacity building effort? What are the key objectives and priorities of the strategy? Are key issues missing? If so, why?
 - Governing process: How does the strategy document/the law envision its governing process in terms of coordination bodies (horizontal and vertical), implementation mechanisms, monitoring and reporting schemes, etc.? How is in particular integration and actor coordination operationalised in the strategies?²⁰ Are the responsibilities for these tasks clear?
 - Capacity building: To what extent is capacity building intended in the strategies/the law as described in section 2.1? What mechanisms and instruments are employed for this purpose?
- How does the mitigation/adaptation strategy/climate change law actually govern climate change issues?
 - How does the governing of the strategy/law actually work (horizontal and vertical integration/coordination, implementation, monitoring and reporting)? In how far does reality differ from intentions?
 - How are actors across levels and sectors coupled in the implementation of the strategy/law (sequentially or simultaneously; formally or informally; institutionalised or ad hoc, bilaterally or multilaterally; tightly or loosely)? Is coordination taking place among administrative or among political actors, or both? Is integration politicised?
 - What are the decision rules to produce policies in various coordination mechanisms (consensus, qualified or simple majority, unanimity)? Do they result in adequate policies?
 - How, if at all, are federal/regional integrated strategies/climate change laws (in particular mitigation and adaptation strategies/laws, but also sustainable development strategies, energy strategies and other sectoral strategies) linked horizontally in the implementation process of the strategy? How could the horizontal linkages be strengthened?
 - How, if at all, are federal and regional strategies/climate change laws linked vertically and/or diagonally to each other? In how far are sub-national actors involved in federal strategies and federal actors in regional strategies? Is any power asymmetry or bias evident? How could the vertical linkages be strengthened?
 - How is capacity building actually implemented by mitigation and adaptation strategies? How important is capacity building compared to strategies as governing process?

²⁰ For this purpose we can use Metcalfe's (1997) nine-step qualitative coordination scale to describe the process. It covers (1) actors managing independently their jurisdictions, (2) actors exchanging information (communication), (3) consultation among actors (feedback), (4) actors avoiding policy divergence (one voice), (5) actors searching for policy consensus (conflict management), (6) actor conciliation/mediation, (7) arbitration of conflicts among actors, (8) actors establishing common limits and (9) shared priorities of actors.

c) Climate policy integration in selected policy fields: the case of building policy

Despite building essential parts of the within-case study, the previous two sections of the framework have to be relatively brief compared to the following set of research questions. Indeed, sections (a) and (b) provide the structural and substantive context for our study, yet the core lies in understanding how federal states actually perform in integrating the mitigation of climate change into key policy fields in which sub-national entities have substantial competencies. We will look at the housing sector, i.e. at space heating, building codes, spatial planning, and possibly at public buildings at the federal level and in one (perhaps two) selected “Länder” and “Kantone” by answering the following set of questions:

- In how far do the mitigation/adaptation strategies/laws tackle the key issues of the housing sector identified above? What policy objectives do they state?
- To what degree are the key issues of climate change mitigation and adaptation actually integrated in the housing sector policies
 - At the federal level?
 - In one or two selected regions?
 - How important is coordination between levels of government for the state of policy integration at the federal and regional level?
 - Are key issues of mitigation and adaptation missing in sector-specific policies? At what level of government in particular?
- Who was mainly responsible for integrating climate change concerns into the housing sector policies (role, power, responsibilities, and resources)?
 - What are the ideologies and interests of the actors involved? Who pushed climate policy integration and who (tried to) hinder it?
 - What motivation did those who pushed climate policy integration have? Are there incentives or threats that would make sectoral actors act contrary to what they would do otherwise? Are side-payments and/or package deals linked to integration?
 - What role did actors from other levels of government play? If vertical integration played a role, what governance mode was at play (hierarchy and/or network)? In case network governance was dominant, was it reciprocal, rather top-down or bottom-up, or part-part?
- What policies and coordination mechanisms played a key role in integrating climate policies in the housing sector (federal/regional sectoral strategies, federal/regional integrated strategies, other federal/regional polities, EU policies)?
 - If integrated mitigation/adaptation strategies contributed substantially to climate policy objectives and measures in the housing sector: why were they important?
 - If integrated strategies played a marginal role: why marginal and what other coordination mechanisms were more important? What determined their success or failure?

d) Concluding questions

- How can horizontal (cross-sector) and vertical (multi-level) climate policy integration be designed effectively in federal state settings? What conditions hinder/facilitate respective coordination efforts? Should the horizontal and/or vertical linkages between strategies be improved?
- What functions do federal/regional integrated mitigation and adaptation strategies fulfil in this context? To what degree do they actually live up to their roles as
 - policy documents/visions,
 - cyclical governing processes and/or
 - capacity building efforts?
- What can newer adaptation strategies learn from older mitigation strategies?
- Does the federal state setting facilitate and/or hinder climate policy integration? Are patterns similar or different for mitigation and adaptation issues?

3.2. Cross-case comparison (preliminary questions)

Finally, the guiding questions formulated above guide the comparison of the three federal case studies as follows:

- What are the key mitigation and adaptation issues in general and in the housing sector in particular in the three countries? In how far are they similar or different?
- What are the key characteristics of the federal system relevant for mitigation and adaptation in general and for the housing sector in particular in the three countries?
- In how far is the governance of the integrated mitigation and adaptation strategies different in the three countries with regard to
 - Their formulation and the actors involved in the formulation phase?
 - The key actors in their implementation?
 - Their role as governing process, in particular with regard to horizontal and vertical coordination?
 - Their role as capacity building efforts?
- In how far are the key issues of climate policy mitigation and adaptation integrated in the housing sector's federal and regional policies in the three countries?
 - What horizontal and vertical coordination mechanisms are important?
 - What role do integrated strategies play in this respect?
 - Are there differences in the actor constellations?
 - What other variables explain differences in climate policy integration in the housing sector between the three countries?
- How can horizontal (cross-sector) and vertical (multi-level) climate policy integration be designed effectively in federal state settings? What conditions hinder/facilitate respective coordination efforts? Should the horizontal and/or vertical linkages between strategies be improved?
- What functions do federal/regional integrated mitigation and adaptation strategies fulfil in this context in the three countries? When do integrated strategies work well? To what degree do they actually live up to their roles as
 - policy documents/visions,
 - cyclical governing processes and/or
 - capacity building efforts?
- What can newer adaptation strategies learn from older mitigation strategies?
- Does the federal state setting facilitate and/or hinder climate policy integration? Are patterns similar or different for mitigation and adaptation issues?
- What can the governments in the three countries learn from each other? What could Austria learn from the climate policies in Switzerland and Germany?

3.3. Additional factors to watch for

As mentioned earlier, a number of additional variables may be of relevance in understanding policy integration in climate-related areas in federal settings. As these were identified in the context of horizontal environmental policy integration, they may not emerge or do so partially. Other variables not identified here may also appear in the empirical work and prove crucial. These, however, are difficult to pin down *ex ante*. Hence, this section selects a number of variables that proved useful in explaining policymaking and implementation processes in the comparative federalism literature. Specifically, these variables are the extent of party centralisation in the federal state, climate-related saliency, political will and commitment from leaders, and the existence of a

consensual culture and neo-corporatism for interest group intermediation. Such factors can modify actors' choice of strategy and/or bend "creatively" the rules of federal settings (North 1990) to push for or against policy integration.

Party centralisation

The combination between the coordination requirements of a federation and the competitive nature of party politics is often seen as a "fault line" in federal systems (Lehmbruch 1998: 9; Weissert 2011: 970). The consensus-building and negotiation logic of federalism and decentralisation require collaboration rather than confrontation and winner-takes-all strategies and "antagonistic competition" (Scharpf 1994: 69) that are typical of party competition. This is important if integration has been previously identified as a process largely determined by political actors and if the same party family controls climate-related sectors at all relevant levels of government. Political parties, in that case, (i) centralise ideology and a common political vision and (ii) control the careers of federal and regional-level elites. This has important consequences to climate policy integration. With respect to ideology and in the area of environmental policy, empirical studies show that centre-left and green parties are likelier to push for environmental and climate change policy, as well as for policy integration in these areas, and allow higher access quotas to environmental interest groups in policymaking and implementation (Crepaz 1995; Schmidt 1996; Treib 2003). Green parties, moreover, own environmental policy integration. On the contrary, centre-right, conservative and liberal parties are more concerned with the economy. All in all, policy integration is more likely or more likely to be smooth when the political parties in control of policymaking and implementation processes share similar ideologies or belong to the same party family across levels of governance and climate-related sectors. However, it must be noted that ideology is not the cohesive glue it once was. Religion and class interests have eroded, while neo-corporatism, open market economies and supranational integration have become increasingly important, reducing the capacity of parties to determine outcomes and position themselves unambiguously somewhere along the ideological spectrum (Mair 1997: 131-6; see also Giddens 2009).

In addition, parties shape the incentives of the elites and help coordinate behaviour across tiers, minimising conflict and competition. National party leaders discipline their co-partisans at other levels of government if electoral fates, individual prominence and career advancement are effectively inter-linked across levels. These national "coattail effects" also work the other way around (Campbell 1986). As a result, federal governments tempted to "offload" responsibilities onto regional governments without, e.g., increasing their access to funding will not find such strategies attractive. Regional officials sharing the party label of the federal executive thus face incentives to coordinate and harmonise policy (Rodden 2003). Chaqués-Bonafont and Palau-Roqué (2011) find that regional legislative agendas are indeed similar when the same party is governing in every region and that the regional and federal agendas are similar when the central executive is in minority and depends upon the support of a regional party to form government. However, if regional governments can unite in their opposition to national-level initiatives or if highly salient regional interests are strongly divergent, however, coattail effects may not be effective.

Issue saliency, the role of commitment and leaders

Formal distribution of authority does not give information about why political attention is focused on some topic rather than another (Chaqués-Bonafont and Palau-Roqué 2011: 1096). Parties compete by giving more salience to the issues that are seen as bringing electoral returns and leaders, in turn, seek prominence, electoral benefits in a constituency and/or career advancement when providing their support or not to a given issue. Political support indeed may be the most "powerful coordinator", more effective than careful design (Jordan and Lenschow 2008c: 339). This may provide additional cues on why integration is a success or not and is independent upon whether a federal structure is in place or not. Yet, the literature on issue saliency (e.g., Schmidt 1996) and environmental policy integration shows that the environmental issue does not always have a strong place in politics and only recently has it truly climbed the policy agenda, and that environmental policy integration is not a prominent political priority, as mentioned earlier. What is more, mitigation and adaptation policies are not likely to be highly salient in the short run because their negative effects and the benefits of early action are widely spread in time and space, offering few electoral benefits for short-driven politicians and political parties (Klein *et al.* 2005: 586). Timing is also an important factor for effective climate policy integration and plays against this agenda given the current economic and financial crisis.

Consensual participation and neo-corporatism

Jänicke (1996: 80) considered that neo-corporatism and a "consensus-oriented political culture and cooperative policy styles" are key factors for successful policy coordination. Indeed, as seen before, cooperation, collaboration and coordination are key modes of actor behaviour in federal settings. This is

especially relevant in terms of including external stakeholders in policymaking and implementation, for those actors usually willing to push for climate policy integration are private, external environmental groups. Moreover, knowledge and expertise provided by stakeholders and local actors is expected to provide invaluable information on local particularities, improving ownership, raising awareness and commitment levels (Paavola 2008). Yet, their influence depends upon how neo-corporatist structures channel political preferences into political outputs. Usually, private interests are associated with specific political parties (e.g., business and farmer associations link up with liberal or conservative parties; trade unions with social democratic parties) but is not always the case. In federal settings, participation may happen at various levels and in different sectors simultaneously or instead be channelled through selected networks (Wälti 2004). However, as resources are limited, this often implies that influence is more fragmented and actors may find it difficult to know where to direct their efforts for effective influence (Coleman 1987; Swenden 2006: 208), despite having a consensual culture of participation.

4. Preliminary information about selected mitigation-related policies

In Austria, Germany and Switzerland, certain powers, competences and resources on climate-related policies are shared between the federal level and the *Länder* or *Kantone*. Among the policy areas related to the mitigation of climate change and with competences located at the regional level are, *inter alia*, space heating, building codes, urban planning, energy generation and transport. These are crucial sectors if the federal state as a whole wants to promote sustainable development, meet internationally set emission targets and adapt to the risks of climate change. Thus, they require, at least in theory, a vertical and/or a diagonal dimension of policy integration. They constitute distinct policy fields (and can be analysed as such) yet are linked to each other. A cursory look at the evolution of CO₂ emissions since 1990 for the areas of space heating, transport and energy generation in Austria, Germany and Switzerland reveals important differences within each country, as well as across our three cases (see Table 1). Germany was most successful with reductions in emissions in all three sectors and overall; Switzerland proves successful too, except in the sector of transport; and Austria has not managed to decrease its emissions in any of these sectors. This of course begs the question of what role the vertical fragmentation of competences, powers and resources and respective coordination mechanisms play.

Table 1. Deviation with respect to CO₂ emission targets in selected sectors in Austria, Germany and Switzerland

| Country | Austria | Germany | Switzerland |
|---|---------------------|---------------------|---------------------|
| Specific area | Change of emissions | Change of emissions | Change of emissions |
| Space Heating and small-scale consumption | + 6% | -7.6% | -10% |
| Transport and mobility | + 62% | -8.8% | + 12% |
| Energy generation | + 12.3% | -4.3% | -1% |
| Total | +10.8% | -21% | -8% |

Note: Baseline used was 1990; targets until 2008

Source: National Inventory Reports 2010

In Austria, building codes, space heating and small-scale consumption are the most important measures within the field of climate policy and indeed are representative of the relation between the federation and the *Länder*. The Law of the Promotion of Domestic Building (*Wohnbauförderungsgesetz*) and the Law of Domestic Building Renovation (*Wohnhaussanierungsgesetz*) are laws anchored in the *Länder*. By allocating the financial means of the promotion of domestic building as well as spatial planning, the *Länder* are able to influence mitigation policy (BMLFUW 2002), yet Austrian *Länder* tend to develop their own strategies and regulations, which often proved counterproductive (see, e.g., the increase of federal funds for the

Sanierungsscheck and simultaneous decrease of regional ones). The sector of transport and mobility is also crucial in reaching emission targets. In Austria, most of the measures addressed in the 2002 Climate Strategy have been taken at the federal level (*Stufenplan zur schnellstmöglichen Emissionsreduktion im Verkehr* and *Generalverkehrsplan*). Yet, potentially the *Länder* have competences within this sector due to their role in spatial planning, which has a direct influence on traffic emissions (UBA 2007). In the sector of energy production, the Energy Strategy emphasizes the important role of the *Länder* through the improvement of energy efficiency within the building and transport sectors. Further measures are to be developed to improve efficiency (*Energie Strategie Österreich* 2011). An integrated cross-level strategy is however lacking.

In Germany, although the *Länder* have very few direct legislative competencies regarding climate policy compared to the federation, they possess several options to act for climate protection, being involved in federal environmental issues through the Federal Council (*Bundesrat*), enforcing environmental law and issuing their own climate-related legislation (Schleicher-Tappeser *et al.* 2004). These competences extend to the fields of energy, road traffic, spatial planning and building law (Biedermann 2011). The main instruments of Germany's federal climate policy are the Ecological Tax Reform (*Ökologische Steuerreform*), the National Climate Protection Program (*Nationales Klimaschutzprogramm*) and the Integrated Energy and Climate Program (*Integriertes Energie- und Klimaprogramm*; see BMU 2000, 2007). These programs include a bundle of measures aiming at achieving emission targets until the year 2020 (BMU 2007). In spite of that, many *Länder* have no climate protection targets, while others have some climate protection concepts and others having fully-fledged mitigation strategies. Germany has elaborated collaboratively a number of measures, notably the extension of cogeneration of heat and power, the passage of the Energy Saving Ordinance (*Energieeinsparverordnung*), a support program for the reduction of CO₂-emissions of buildings, a declaration for climate protection of the German economy, a bundle of measures for the transport sector and public short-distance traffic. In order to implement and enforce these measures, the federation needs the *Länder*. Yet, the rules for implementation vary in terms of exceptions and waivers, monitoring procedures and the proceedings in case of regulatory offences. The level of funding also differs across *Länder* since different local conditions are considered. Hence, even if the *Länder* are supportive of federal mitigation targets, they are not always able to achieve them or are under the same (internal or external) pressure to do so.

In Switzerland, the *Kantone* have competences in regional planning, building codes (building standards, renovation programs, energy advice centers), trade, regional infrastructure (public short-distance traffic), regional transport, and renewable energy promotion, even though these are often financed by, shared with and/or framed by the federal level. The main instruments of Swiss climate policy are the Energy-law, the CO₂-law and the programs Energy 2000 and Energy Switzerland. Regional climate policies tend to be integrated with these federal policies. Cooperation with the regions and among the regions in legislation and implementation of these programs is of great importance in Switzerland.

5. Institutional set up of Austria, Germany, Switzerland

5.1. Austria

Austria is a federal, parliamentary, democratic republic. Its federal structure has three layers, namely the federation, nine *Länder*, 84 municipalities (*Bezirke*) and 15 statutory cities (*Statutarstädte*), as well as a larger number of lower-level communities (*Gemeinden*). Austria is described as a centralistic federation (*zentralistischer Bundesstaat*) or a federation without federalism (Pelinka and Rosenberger 2000; Erk 2004; Pernthaler and Gamper 2005: 135; Swenden 2006; Biela and Hennl 2010). Indeed, although powers are shared across levels in a bicameral system, in practice the central government has a quasi-monopoly in law-making. For a number of areas, however, the regions also administer a majority of centrally approved bills (the *Bezirke* only deal with administrative matters).

The Austrian Constitution (Arts. 10-15; *Bundesverfassungsgesetz*) is relatively explicit about exclusive federal legislative powers (legislation and administration in, *inter alia*, traffic, energy, economy, water, civil and criminal law, forestry, some environmental matters). There are six areas where the federation legislates and the regions share implementation powers (shipping, environmental reviews, housing, urban redevelopment). Although the Constitution makes no mention of concurrent powers, there are six areas (land reform, public utilities such as electricity, labour relations in agriculture and forestry) where the federation can issue framework legislation, limiting regional discretion. Federal ministries, generally, leave little room for the regions to choose their implementation methods (Fallend 2003: 22) and regions are reduced to "agents of the

federation” (Pernthaler and Gamper 2005: 141). Yet, in so far as a matter is not expressly assigned to the federation for legislation or implementation, residual powers remains within regional jurisdiction. Exclusive *Länder* competences are also in place in the areas of, *inter alia*, building law, spatial planning, nature protection, hunting, fishing, agricultural matters and tourism. The Constitution also allows the federation and the *Länder* to enact laws on the same subject as long as they concern different aspects of the same competence (*Ibid.* p. 136). Since Austria joined the EU, the status of the *Länder* has further weakened, increasing the amount of issues for them to implement and forcing further centrally-led control and coordination (*Ibid.* p. 142).

Expenditure-wise, the *Länder* operate under relatively tight budgetary constraints and since Austria joined the European Monetary Union, regions are further constrained by the Growth and Stability Pact (Swenden 2006: 128). The system is, in a nutshell, highly asymmetric for the *Länder*, which have to follow centrally-defined political and administrative goals by means of financial subsidies. As a result, though, differences across *Länder* are moderate.

Federalism, according to the Austrian Constitution, demands interdependence between centre and regions. The primary ground for cooperation is the second chamber, the *Bundesrat*, which is indirectly elected by the regional legislatures. In theory, then, the chamber provides a direct link between centre and regional political institutions. Yet, this does not mean that the *Bundesrat* is a genuine channel for regional representation. The second chamber has relatively weak powers and only in 1984 did it get the right of vetoing constitutional amendments when these affect the distribution of competences of federal and regional levels. Otherwise, its veto powers are suspensory for ordinary legislation and are rarely used (Obinger 2005). This is the result of a highly centralised party system (Swenden 2006: 185). *Bundesrat* members are selected according to party political strength in the corresponding regional legislatures and *de facto* organise along party, not regional, lines (Fallend 2009). Over time, the *Bundesrat* has been absorbed by nationwide party politics and may only be relevant when different majorities rule in the two houses of parliament, which is also uncommon (Erk 2004: 8). Informally, though, as regions implement a large number of federal bills, there is a high institutional need to bring regions on board at the *Bundesrat* to secure implementation success.

Cooperation and regional influence may also take place through inter-ministerial conferences that bring together the *Länder* governors (*Landeshauptmännerkonferenz*) or, at the level of civil servants (*Landesamtdirektorenkonferenz* or *Landesreferentenkonferenz*), either periodically or for special purposes (Rosner 2000; Erk 2004: 9; Pernthaler and Gamper 2005: 139). Informal agencies prepare these inter-state conferences, for example, through the Liaison office of the *Länder* in Vienna (*Verbindungsstelle der Bundesländer*). In addition, permanent conferences of experts who represent the federal and *Land* governments meet in specific policy areas, such as regional and environmental planning and finance. Decisions are here taken by consensus. Even though the executive could revert to hierarchical control, doing so is considered politically harmful (Obinger 2005: 197). Sometimes policy matters are not of interest to all regions which may lead to bilateral or limited forms of multilateral cooperation. Nonetheless, in Austria, IGR is weak and largely confined to intra-party linkages. Parties often channel IGR and keep issues out of the inter-executive and judicial circuit.

Austrian federalism has no other veto points, except, potentially, the constitutional court. Indeed, the court established that both federation and *Länder* are obliged to take each other’s interests into consideration when enacting laws (principle of mutual consideration). The court, however, has pushed Austrian federalism towards centralisation and loose coupling. In sum, then, Austria is a federation which practically works like a unitary state: politicians, bureaucrats, IGs, professional associations, trade unions and voters see politics in nationwide terms and act accordingly (Erk 2004: 2). *Länder* politics do not receive much public visibility, its politicians are not as well-known as national ones, the media rarely focuses on *Länder* political debates and *Landtag* elections are generally seen as test elections for federal politics.

5.2. Germany

As in Austria, functions are shared in Germany with the centre performing most of law-making and the regions doing most of the implementation. Notwithstanding this, Germany also shares some powers across levels. This creates a system with dual pressures, on the one hand, regions and the centre should cooperate under the shadow of hierarchy (Börzel 2010), given federal-regional interdependence (*Vollzugsföderalismus*). On the other hand, cooperation has to happen on an equal footing, giving rise to joint-decision making (Scharpf 1994). Germany’s “tight coupling” (Armingeon 2000) and interlocked policies (*Politikverflechtung*) exemplifies joint-decision dynamics *par excellence*, as the centre needs regional consent for a bulk of legislation and regions often consent with qualified majorities or unanimity (Scharpf 1994). This is a system of innumerable

committees in which *Land* and federal ministers, bureaucrats and officials collectively coordinate the drafting and administration of laws and regulations.

The German Basic Law (Art. 70) establishes that regions have the right to legislate in so far as the Constitution does not confer legislative powers onto the federation. There are two types of legislative powers. For 11 areas, regions legislate exclusively (as long as and to the extent that the federation does not do so). For an additional 27 areas, the Constitution predicts concurrent legislation (Art. 72). Concurrent powers are used to control *Länder* legislation. In case of conflict between levels, federal law prevails. The federation can also present framework bills in seven areas. In exceptional cases, these bills can be highly detailed, curtailing *Land* autonomy. Finally, the Constitution also refers to “joint decision-making tasks” where the federal level coordinates policy areas previously under exclusive regional control (e.g., coastal planning). Most federal legislation is implemented by regional administrations and few matters are directly administered by federal departments or agencies (foreign policy, federal taxes, waterways and shipping, social insurance, defence, railroads). In terms of scope, regions and municipalities absorb a non-significant amount of total expenditure but have little revenue-raising autonomy to finance regional expenditures (fiscal imbalance). They therefore depend on the centre, which oftentimes is tied to conditions on how to spend it (Swenden 2006: 117).

Electoral support for state-wide parties is not distributed symmetrically across the state. The regional party branches are thus relatively strong, especially in campaigning, party finances and candidate selection. The German second chamber, the *Bundesrat*, is indirectly elected at irregular intervals, normally not coinciding with federal elections. It is entirely composed of members of regional executives who vote by region and who have good access to federal law-making, participating in lower-house committees and plenary meetings. Most are senior politicians and thus are able to withstand party discipline from the party group in the *Bundestag*. Despite this, members, by and large, represent regional branches of state-wide parties and pursue narrow party interests (Swenden 2006: 196). The powers of the *Bundesrat* include a suspensory veto against the federal budget and a full veto on about 2/3 of federal legislation, as well as a suspensive veto on the rest. It can also call for a mediation committee (*Vermittlungsausschuss*) when no compromise is reached after a veto is issued and which is composed of both *Bundestag* and *Bundesrat* members (Woelk 2005: 189).

Despite these forms of *Länder* participation in decision and policy-making, the state parliaments (*Landtag*) are relatively unimportant and the *Landtagswahlen* tend to be about voters’ attitudes toward federal politics. The federal and *Land* governments are forced to negotiate before making important decisions but at the same time consensus is difficult to achieve due to party confrontations. Both levels are interconnected and reinforced by parallel structures of political parties in the Federal and *Länder* levels. This results in frequent “divided government” (Burkhart 2009: 343). Majorities in the *Bundesrat* have to be negotiated from case to case (Benz 1999: 71) and politics depend on random factors in intergovernmental negotiations. Coalitions may turn a decision into reform or deadlock. There are many vetoes related to the federal system in Germany, such as the *Bundesrat*, consultation or planning boards, inter-ministerial conferences or the federal constitutional court. Even if each of these players were controlled by the same political party, decision and policy-making could not be taken for granted as actors in the centre and/or the regions are not necessarily aligned for change without before consolidating the strength of their institution. As many IGR mechanisms require consensus, coordination is not always possible.

Political parties can also become veto players for themselves. Regional level parties may oppose federal-level policies if the federal government has a different political majority. Party hostility is possible when the federal executive has a hostile majority in the *Bundesrat* (mixed regional coalition or total control by opposition). The *Bundesrat* cannot, anyhow, always play the veto card: being indirectly elected and only incrementally elected, it has less legitimacy than the federal government, hence blocking the central government recurrently is only possible when doing so carries substantive public support (Swenden 2006: 217). And even if the *Bundesrat* is opposed to a federal law, it may not act cohesively enough to block it (Kelemen 2004: 80). This all leads to the well-known German “policy paralysis” (Scharpf 1988, 1994). Arriving at joint decisions is difficult and may lead to entrenchment of policymaking. In addition, joint policy programmes increase public expenditures, diffuse costs across levels, increase inefficiency and overspending. Compromises are reached after bargaining and settling for the weakest link of the chain, instead of using a problem-solving logic, leading to cost-ineffective, less innovative and lowest common denominator solutions, unless the regions and the centre share responsibility for a political success or failure (Scharpf 1988; Benz 1999: 69), a situation in which beneficiaries of the *status quo* can block all reforms or at least extract exorbitant side payments.

But the situation is more diverse than this (Benz 1999: 70). An evaluation of German federalism concluded that it did not fare that bad in dealing with the challenges of extension, channelling large sums of money to the new *Länder* and handing over parts of its sovereignty to the EU. All of this was managed with relatively small changes in federal institutions and decision-making routines (Wachendorfer-Schmidt 2000b: 88). Germany can take decisions to correct institutions if necessary (Czada 1996: 354) and territorial actors

learn from failures and avoid the joint-decision trap (Renzsch 1994). Public administration is able to self-regulate itself (Seibel 1996). In other words, Germany can solve level, distributive and interaction problems. Also, the practice of cooperation between federal and *Land* governments, among and between *Länder* is typically framed to create a uniform legal and economic conditions and equal standards of public services (Benz 1999: 59). There is even a fundamental constitutional “homogeneity” between the federation and the *Länder* and among the latter (Gunlicks 1998: 111), thus both layers reacting similarly to underlying societal trends. Though bound by the Basic Law, *Länder* are not prohibited to add rights to their constitutional list, as has been the case in the eastern *Länder* and social or environmental protection clauses, thus forcing federal-level constitutional reform to keep homogeneous rights and standards. The federal system is embedded in a society with centralised organisations of interest and a political culture that emphasises national unity and uniform living conditions in all regions (Benz 1999).

Hence, German federalism can circumvent paralysis (Benz 1998, 1999: 56, 2000) and is more adaptable to new challenges than some of its critics claim (Kitschelt and Streeck 2004), as seen by environmental policy integration in climate change or the gold-plating of the SEA Directive. For example, by resorting to “technocratic forms of decision-making” and coordinating policy-making in fora with qualified majority voting, usually more technical and expert-based meetings and where a more cooperative spirit reigns; shifting costs of political decisions to third parties not involved in the IGR decision system (municipalities, future generations); or exercising pressure on actors not belonging to the formal federal decision-making system and who can push territorial actors to subordinate their institutional self-interest to come to a solution (Central Bank, Constitutional Court, other informal VPs, IGs, public opinion or the media).

Germany is a dynamic system (Benz 1999). Political gridlock is regularly avoided by incremental adaptations of policies and intergovernmental relations. Inter-executive meetings are paramount due to the high level of concurrent and framework laws (Woelk 2005: 158; Besendorfer 2010: 68). The *Bundesrat* is at the centre of a large number of committees, bringing federal and regional ministers and civil servants together (e.g., State Prime Ministers Conference or *Ministerpräsidentenkonferenz*; the conferences of Land ministers; regional meetings of technocrats, experts and planning committees, see Scharpf 1988; Benz 1999). There are about thousand discussion and working groups in different policy areas (Kramer 2005: 132). Other settings for intrastate IGR are central executive meetings with regional parliamentary parties (e.g., CSU may sit in different meetings than the CDU, *Länder* groups often bring together MPs from a Land as is the case for East German MPs, see Swenden 2006: 206). Intra-party IGR is more likely when parties participate in the central and regional governments, thus explaining why the *Bundesrat* introduces at times few vetoes and asks for a smaller number of sessions of bicameral committees (Ziller and Oschatz 1998). In many of these para-constitutional fora, where IGs are also involved, decision-making is performed with the rule of unanimity (Scharpf 1994). A real blockade only happened in some policy fields (e.g., the great tax reform 1994-1998) but not in all areas (e.g., those governed by neo-corporatist concertation between government and interest organisations, or areas subject to parliamentary majorities, see Katzenstein 1987; Scharpf 2006). The differing results depend on the features of distributive conflicts and political party structures (regional economic disparities, distributive justice conflicts) and policies that change the territorial distribution of revenues and resources (fiscal policy, institutional reforms). Stalemates are also ambivalent: they can obstruct solutions but also thwart wrong decisions and become the starting points of learning processes. Innovations may, on the contrary, result in undesired consequences. And even if non-decision is considered detrimental, Benz questions whether they are caused by the institutional structures of the cooperative federal state or is the result of party competition and the degree of distributive conflicts between regions and governments (1999: 77). Finally, empirically, federal governments still have considerable room for manoeuvre for it is still the agenda-setter for legislation and in most cases gets its proposals through (König and Bräuninger 1997).

Germany has recently gone a federal reform to improve coordination and cooperation among orders of government and to enhance performance (Erk and Swenden 2010: 4). During the 1990s, political elites moved away from their traditional problem-solving orientation towards a more competitive and bargaining approach, even though Germany is still characterised by a high degree of consensual state-regional relationship and solidarity (Colino 2010: 30). The first round of federal reforms of 2006 were modest and incremental (Sturm 2010: 44-5; Burkhart 2009; Heinz 2010). The reform lead to a moderate disentanglement of competencies between *Bund* and *Länder*, a reduction of *Bundesrat* participation in federal legislation, federal involvement in *Länder* jurisdictions and an increase in legislative competences of the *Landtag* (Benz 2005). Germany moves towards a more assertive form of regionalism, with reduced federal interventionism, a clarified division of powers between *Länder* and federal governments and higher levels of local autonomy, forcing more intergovernmental coalitions (vs. partisan ones). In particular, the reform eliminated framework legislation, thus legislative competences are now delegated either to the federal level solely (6 areas) or to the *Länder* (17 areas) or transferred to an area of concurrent legislative power. It also reduced the amount of joint

decision-making tasks, planning committees are no longer mandatory, concurrent legislation was reallocated to either federal or regional level, and it is now possible for the *Länder* to enact deviating laws from federal legislation and the implementation of federal laws and rules (*Abweichungsgesetzgebung* in 6 policy areas). This proposal has the proviso that a later national statute can again prevail over deviating legislation (Scharpf 2006: 859). According to Sturm (2010), environmental law-making was, *inter alia*, at the centre of competences affected. However, analysts note that the areas of competence transferred to the *Länder* are closely defined and partial; they are “residual” or “isolated” (Münch 2006; Scharpf 2006; Zohlnhöfer 2008; Burkhart 2009). It is also unclear whether the *Länder* will make use of the additional powers due to the previously discussed societal rejection to factionalism (*Kleinstaaterei*), for Germany is a “centralised society” with a long tradition of para-constitutional regional coordination (Katzenstein 1987: 319).

5.3. Switzerland

From the three cases, Switzerland is the closest to the federalist-decentralised ideal-type (Wheare 1963: 10). There are 20 full cantons and 6 half cantons (with a lower number of delegates in the second chamber and lower voting rights). In Switzerland, the constitution (Art. 3) stipulates that *Kantone* remain sovereign to the extent that the federal constitution has not limited their sovereignty and exercised those rights. This residual clause favours the regions, although the constitution also lists federal and cantonal legislative responsibilities. Cantons have only a limited number of areas with full legislative autonomy and in about half of all policy spheres the legislative monopoly belongs to the centre (Wälti 1996: 120-1). In other areas, powers are shared (agriculture, electricity, infrastructure, trade, civil and penal law), which implies that centre and cantons each regulate different aspects of a policy. Art. 46 of the Swiss constitution stipulates that cantons implement federal law in conformity with constitutional and federal law but it also states that the federal level shall leave cantons as large a space of action as possible, taking their particularities into account, as well as the financial burden of implementing federal law by leaving sufficient financial sources to them and ensuring financial equalisation. Arguments between federation and cantons should be resolved by negotiation and intermediation (Art. 44.3).

In terms of scope, Switzerland has three equally strong layers (Swenden 2006: 108) and with one the highest levels of tax decentralisation in the world. Consequently, small cantons are weaker than bigger ones (Vatter 2004: 54-7, e.g., weakly staffed, generalist civil servants in ministries and parliamentary committees, outsource implementation, dependent upon federal grants). As a result, they need to cooperate with other cantons through treaties or concordats to achieve policy objectives (not in the environmental area). The Swiss party system presents high degrees of territorial fragmentation and is made at both levels of multi-party coalitions. But party competition cannot enter and block the federal arena as cantons are not under the leadership of either a centre-left or centre-right party but a coalition of several ones. In Switzerland, the federal executive does not dominate IGRs, though it is still vital for inter-cantonal policy coordination (Swenden 2006: 192). Even though the Swiss Council of States is directly elected and elected at the same time as the central lower house on the basis of a comparable electoral system, the number of cantonal delegates differs from that of the lower chamber and there is little party discipline, thus allowing the Council to perform its role of regional representation. The *Ständerat* is a powerful second chamber. It can veto all federal bills, thus forcing inclusiveness and collegiate behaviour from the Swiss executive.

In sum, regional and central governments have their own spheres of action. Cantons enjoy discretionary powers, which should imply complexity, duplication, confusion and inefficiency (Ripley and Slotnick 1993: 72-8, as in the US). Centralisation in some areas should deprive cantonal citizens of political autonomy and erode federalism or, at best, lead to a costly and burdensome moving back and forth of competences across levels (Lösche 1989: 64-81; Kern 1997). Indeed, in some areas, cantons are interlocked with federal agencies (financial dependence) and the federal level depends upon cantonal administrations for policy implementation. Decentralisation in most areas, though, makes Switzerland prone to the deficiencies of both decentralisation and federalism and to be the “worst of all possible worlds” (Armingeon 2000: 112).

Switzerland has many VPs (multiparty executive with consensus rule, a powerful *Ständerat* with equal representation of cantons; actors can trigger referenda and stop policy reform). Although vetoes are absolute and effective with a simple majority, they are not as used as often as could be predicted. Methods of inter-executive coordination, consultation and decision-making also exist in parallel to the second chamber. For every bill, the federal government sets up a number of “expert committees” with members of executives and representatives from both federal and cantonal civil services. Then, the government proceeds with the consultation of relevant IGs and cantonal representatives implicated (*Vernehmlassungsverfahren*, Art. 45 Swiss Constitution), which do not always operate under consensus. Cantonal remarks ought to be taken into account

when submitting a bill to parliament, although no rules guarantees this, otherwise the central executive may face a referendum which can block legislation with a simple popular majority (Swenden 2006: 210). Also some members of the lower house are allowed to belong to a regional parliament or cantonal executive (Swenden 2006: 205). The magic formula of inclusiveness is used both at regional and central levels. Inter-cantonal harmonisation through conference of cantonal ministries, voluntary coordination without real legislative competences, though *de facto* recommendations from this organ may become cantonal law (Vatter 1999; Wälti 1996). Actors operate according to the same logic of negotiation and compromise and their cooperative solidarity reinforced by institutions such as direct democracy. Federal government has weak powers and resources to force cantons to comply with federal law and its aims. All of this reduces gridlock in the *Ständerat* and IGR and, surprisingly, Swiss federalism works relatively well (Armingeon 2000: 113). Summing up,

(1) loose coupling of cantons and federation (reduces distributional conflicts in the context of interlocking politics, see Benz 1998: 563-5). The Swiss national parliament is a symmetrical bicameral institution, the *Ständerat* is directly elected by canton citizens and therefore need not defend the interests of regional governments and look for solutions that make compatible the interests of political parties, cantons and the public good. Before legislation, groups and institutions affected have to be consulted in advance, cantonal governments and parliaments thus have a possibility to state their points, and though these may not be taken on board it is at least expected a serious evaluation. A similar logic for cantonal representation in expert commissions where most legislation is prepared (drafts that then become laws); and federal government through subsidies offered to cantons if undertake a particular task and finance it through subsidy, thus stimulating cantonal activity but leaves discretionary power to cantons to take subsidy or not. The lack of resources of federal government, low implementation control of its measures and no need for uniformity in living standards of all cantons. The norm is to have taxes, public services and social assistance different from canton to canton; and competition between cantons leads to pressure for convergence between standards but Swiss federalism is not competitive, rather solidaristic and with minimum standards offered nation-wide;

(2) congruence logics of political action and federalism at all levels prevent blockade;

(3) efficient cooperation and solidaristic federation enhanced due to the absence of exit options (especially for smaller, weaker cantons), the threat of direct democracy at any level and the negotiated nature to reach decisions in rounds of consociational democracy and corporatism. Decisions in one arena do not determine but set the context for negotiation in other arenas (Benz 2000: 37). Interaction is informal, cooperation happens in networks, so that coordination problems can be solved easily and leaving space for experimental innovation and flexible policy-making (Armingeon 2000: 123)

Policy change in Switzerland is, at worst, incremental and is delayed when cantons or their channels reduce speed of proposed policy changes. Political gridlock is more likely through referenda than from the other players in the system. Notwithstanding this, in some areas, Swiss federalism underperforms (participation, transparency, efficiency, legitimacy). The issue of financial reform, for example, is said to require reform (Vatter 2006). In the case of environmental policy, legislative centralisation and conditional financing is coupled with cantonal coordination, conditional financing and supervision, while the municipalities implement policies, thus spending 2/3 of all expenses in environmental policy (Art. 74 §3, see Wälti 1996: 126; Kriesi 1995: 48; Dafflon 2001: 13; Swenden 2006: 122). The centre is thus limited in implementation (except for defence, monetary policy, customs and taxes) and the cantons retain control of means to finance implementation of law and do not have harmonised administrative instruments for implementing federal legislation, which may lead to policy divergence (Wälti 1996; Vatter 2004).

6. Bibliography

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