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Vertical epistemic communities in multilevel governance

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Literature defines epistemic communities as knowledge-based networks whose purpose is to influence policy. While previous studies often focused on the horizontal functioning of epistemic communities, we expand the debate by integrating the vertical dimension as an additional governing structure. We argue that vertical epistemic communities take advantage of multiple-scale systems to generate coherent strategies which enable them to influence policymaking. Through the case of Swiss smoking prevention policy, we study how vertical epistemic communities in federalist systems can lead to policy harmonisation between member states. They do so by shifting the decision-making process away from the political towards expert arenas.

key words vertical epistemic communities • multilevel governance • secondary harmonisation
• policymaking

Introduction

There is a well-established body of comparative literature on epistemic communities, which basically suggests that experts and professional actors form international knowledge-based networks by building trust and common understandings, and that individual members of these communities try to influence policy in their domestic governments (Haas, 1992). While we know a lot about their horizontal functioning – that is, among members when they are equals – (Marier, 2008), as well as about how they form and mobilise at the national (King, 2005; Thomas, 1997) and supranational levels (Zito, 2001; Dunlop, 2010), we know less about their vertical functioning – that is, when there is a hierarchical relationship between members, for instance when they are distributed over different levels of government – and the ways in which they mobilise and perform in multilevel policymaking systems in which power is fragmented. Indeed, multilevel governance systems imply complex dynamics between ‘a diverse set of state...and non-state actors..., multiple sites and levels..., and a range of formal and informal decision-making processes’ (Alcantara and Nelles, 2014, 184). In this paper, we argue that epistemic communities have certain advantages in such an institutional context because the experts’ common backgrounds, aims and policy understandings help them generate coherent multilevel strategies that can influence policy in many arenas. In this multilevel context, we identify a vertical epistemic community as a specific form of epistemic communities. Correspondingly, we combine the notion of epistemic communities, which strongly emphasises their horizontal functioning (how their members interact with one another and which kind of strategies they adopt to pursue their policy objectives), with research on multilevel governance. The latter strongly emphasises the steering aspects of vertical relationships, that is, how superordinate actors aim to influence the

action of subordinate actors, be it by means of a formal hierarchical structure (hierarchy of laws, formal division of competences, distribution of financial resources) or by exercising informal power. Furthermore, rather than studying how decision-makers are likely to learn from epistemic communities (Haas, 2004), we investigate how vertical epistemic communities are able, in part, to actually bypass decision-makers.

We build our argument upon the case of the recent Swiss tobacco control policy. In this domain, the previously prevailing subnational heterogeneity is gradually being replaced by a secondary harmonisation phenomenon, where the policies of the subnational politico-administrative units, the *cantons*, tend to converge. The concept of secondary harmonisation addresses the same phenomenon as policy diffusion and policy transfer studies. Both address the puzzle that political units adopt similar solutions for policy problems without being coerced to do so. While policy diffusion studies aim at explaining this phenomenon (Gilardi, 2010), the policy transfer literature is interested in the way a policy is adapted. Correspondingly, policy transfer is defined as ‘the process by which knowledge about policies, administrative arrangements, institutions and ideas in one political system (past or present) is used in the development of policies, administrative arrangements, institutions and ideas in another political system’ (Dolowitz and Marsh, 2000, 5). Policy transfer research has paid much attention to learning effects and policy convergence in multilevel governance structures, whether in federalist (Benz, 2012) or in supranational systems (Howell, 2009). Finally, Ingold and Monaghan (2016) highlight the crucial role of ‘evidence translators’ in the corresponding process by which evidence from home or overseas contexts is incorporated into policy.

Secondary harmonisation is a term developed in Switzerland to capture the specific federalist challenge that the central state depends on the member states to deploy coherence in the implementation of federal policies but lacks coercive power to make them do so. Kissling-Näf and Knoepfel (1992, 65) established the term ‘secondary harmonisation’ to describe the conundrum that the cantons in fact do converge. We argue that due to the vertical component of multilevel governance structures, secondary harmonisation phenomena cannot be fully explained by policy transfer alone. Therefore we propose an explanation by scrutinising the activity of what we call a ‘vertical epistemic community’. The term ‘vertical epistemic community’ has been used by Oliver Richmond (2008, 164–9) in a different context, to depict ‘vertical multilateralism’ between state and non-state actors in peacebuilding at the international level. In our case, this vertical network, or community, mainly comprises the national and subnational senior civil servants who are responsible for designing and implementing tobacco control policies in Switzerland. It also includes recognised public health and scientific experts, as well as leading non-state national tobacco control organisations, who advise and work with the civil servants. They are connected through their professional background, values and knowledge (primarily in the field of public health management), and share common policy goals based on their expertise concerning this topic (strengthening regulation and establishing evidence-based policies); they collaborate in a coordinated manner in order to push their agenda. As we will demonstrate, by establishing an alliance in the form of an epistemic community, administrative experts install themselves within a network in which they become mutually interdependent, whereas, in exchange, they are better able to cope with uncertainty (Thomas, 1997) and gain independence from the local and national political arenas. They gain autonomy by joining forces and sharing their specific resources, in particular financial means on the side of national civil servants, and local capacity to act on the side of subnational civil servants.

As we will observe, this transaction – allegiance to an expert network in exchange for partial autonomy from the political decision-makers – can allow the logic of epistemic communities to prevail over the political one in policymaking. This relates to a crucial aspect of the policy research that deals with the question of the circumstances under which the policymaking process is likely to rely upon expertise (Cross, 2013; Dunlop, 2009). Moreover, we underline how epistemic communities can take advantage of multilevel systems: they pursue their objectives by means of a vertical steering that benefits from the multiple entry points such systems provide. In particular, they take advantage of the horizontal and vertical cooperation that is required in systems such as federalist ones. By ‘vertical cooperation’ we mean the monitoring of the member states by the federal government in a given policy sector. This can be done using a broad array of instruments that range from incentives to compulsory requirements. ‘Horizontal cooperation’ designates the mostly voluntary efforts of member states to coordinate with, and inform one another because they all face similar policy challenges. In a nutshell, horizontal cooperation means coordination between different jurisdictions at the same federal level and vertical cooperation means coordination among entities belonging to different levels. By retracing this policy process, we underline the existence of this specific category of vertical epistemic community, and specify its modus operandi in a multilevel context. More specifically, we investigate how vertical epistemic communities are able to use vertical cooperation tools and procedures to successfully shift the policymaking process from the political to the administrative arenas. Thus, by highlighting the functioning of vertical expert networks in multilevel governance, we also contribute to the refinement of the literature on epistemic communities.

In the first part of the paper, we propose a theoretical reflexion on the notion of epistemic communities within the context of multilevel governance and underline how both approaches can be advantageously linked. We then introduce the concept of secondary harmonisation as our main phenomenon to be explained, that is, our dependent variable. Next, we expose our theory-driven expectations regarding the ability of vertical epistemic communities to take advantage of multiple-scale systems through multilevel coordination, and their ability to shift the location of the decision-making system. We then turn to the case study, before discussing the results of our analysis and addressing paths for further research.

Vertical epistemic communities in multilevel governance: taking advantage of the fragmented decision-making system

In a nutshell, multilevel governance ‘has become the code word for a number of interrelated developments in public administration’ which especially reflect the fact that nowadays ‘policy making requires that many actors outside of central government...work together’, and that new ‘division of labor between governmental levels’ have to be found (Piattoni, 2014, 668). Hooghe and Marks (2003) distinguish between Type I governance, dispersing authority to existing durable jurisdictions, and Type II governance with task-specific flexible jurisdictions. The two types ‘embody contrasting conceptions of community’ (Hooghe and Marks, 2003, 240): while Type I is based on encompassing communities, the ‘constituencies of Type II jurisdictions are individuals who share some geographical or functional space and who have a common need for collective decision making’. In the following, we argue that the two forms can intersect: actors that evolve in a Type I governance structure (for example, senior civil servants) may actively try to subvert the frontier and integrate actors pertaining to Type II governance (for example, experts) in a given policy sector. This allows them to overcome specific institutional or political deadlocks and to push their agenda. We therefore propose that the concept of multilevel governance should be complemented with an additional governing structure that we label

‘vertical epistemic community’. In this, general-purpose Type I jurisdictions with non-intersecting memberships are governed through a task-specific community, thereby overcoming the vertical coordination dilemma and leading to secondary harmonisation of cantonal policies.

The concept of epistemic communities (ECs) is particularly well suited to analyse the activities of expert networks. It applies to any ‘network of professionals with recognized expertise and competence in a particular domain and an authoritative claim to policy-relevant knowledge within that domain or issue-area’; the members of an epistemic community have four common principles:

(1) a shared set of normative and principled beliefs, which provide a valuebased rationale for the social action of community members; (2) shared causal beliefs... (3) shared notions of validity – that is, intersubjective, internally defined criteria for weighing and validating knowledge in the domain of their expertise; and (4) a common policy enterprise – that is, a set of common practices associated with a set of problems to which their professional competence is directed. (Haas, 1992, 3)

They usually enjoy important social recognition for their competencies, based on their distinctive professional knowledge. They can be both national and international (Haas, 1992, 16–17), and are often partly located within governmental structures (Cross, 2013, 153). The concept of epistemic community is intended to inform policy changes, particularly through the learning processes that occur during policymaking (Radaelli, 1999, 768). It was set up for the analysis of public action in the context of growing complexity, specialisation and issue uncertainty (Haas, 1992, 7). It enables us to examine how, by infiltrating governing institutions, temporarily consensual and socially recognised knowledge may contribute to policy definition (Haas, 1992, 23–9).

The epistemic community has to be distinguished from other types of professional communities on the one hand, and from broader policy or advocacy networks on the other hand. It must first be noted that not all members of a profession form an epistemic community per se. Certain specific groups within a profession can, however, form an EC on the basis of their shared expertise, on the condition that they pursue collective policy goals as a result of these qualities. Their professional validity test (or truth test) guides them in defining their policy goals (Haas, 1992). Such ‘strong epistemic communities and associated professional communities’, generally elaborate rather rigid policy frames that are ‘difficult to alter’ (Peters, 2013, 580). The professionalism that ties EC members together, their common professional socialisation and culture, differentiate them from any other militant group gathered for a common policy goal, or from more encompassing advocacy coalitions (Cross, 2013, 155–9). While both epistemic communities and advocacy coalitions consist in networks whose members share knowledge and aim at policy change (Hogan and O’Rourke, 2015), advocacy coalitions fundamentally rest on a set of normative/ ontological values, and ‘rely upon their belief system to filter, interpret, understand, and distort reality, as well as to shape their networks and, hence, the structure of coalitions’ (Cairney and Weible, 2015, 92–3). In contrast, the selection principle of epistemic communities is shared professional expertise. Epistemic communities also differ from broader policy coalitions in that they do not commit themselves to policy issues other than in their areas of expertise (Haas, 1992, 17–20). Furthermore, even though it can be partly composed of civil servants, an EC is distinct from a simple bureaucratic group since it promotes broader policy enterprises than the traditional administrative mission (Haas, 1992, 19).

The epistemic community framework has not been widely used in the study of smoking prevention policies. This is surprising, since these politics are often led by expertise-based coalitions that fully correspond with the definition of epistemic communities. Next, the fragmented character of policymaking in this area, especially in a federalist political system, has been highlighted: '[the] analysis indicates that multiple venues through federalism are important for tobacco control policy' (Studlar, 2009, 407). The multiple entry points provided by a multilevel system for developing innovative – or even contentious – public health measures has been demonstrated: 'the division of authority over second-hand smoke regulations, even in centralized polities, may make this policy instrument [that is, lesson-drawing processes] particularly susceptible to such bottom-up policy diffusion' (Bossman and Studlar, 2009, 376). Hence, tobacco control policies are an especially apposite venue in which to study epistemic communities and multilevel governance. Such diffusion dynamics have already been observed in other prevention areas, such as drug policies. Within this context, the need to closely analyse the long-term birth and structuring of the involved coalitions has been assessed (Kübler, 2001, 623).

Another question regards the circumstances under which policy makers are likely to rely upon experts, that is: when are epistemic communities successful? The factors affecting the probability of running an evidence-based policymaking process are manifold, and can relate to the epistemic coalition's characteristics, the national and the political context, the configuration of actors, and the specific history of the policy sector concerned. Cross (2013, 144) provides an overview of the factors favourable for the success of expert networks in policymaking. For our purposes, we will focus on an argument that approximates that of Peterson and Bomberg (1997), namely, that epistemic communities are more likely to succeed when 'they deal with the subsystem, technocratic phase of decision-making, rather than shaping broader political beliefs'.

For these authors, the emphasis lies on the phase of the policy-cycle. Indeed, in our case study, the success of the epistemic community in question is due to the location of the decision-making process in more technocratic spheres (that is, administrative, as opposed to political, arenas). Moreover, in our case the epistemic community itself provoked a shift in the decision-making, thereby substantially strengthening its ability to intervene. Therefore, our focus will lie not only on the capability of such networks to intervene in a given decision-making system, but also to shape that system. The decision-making system will not be considered as a fixed framework monopolised by a predetermined set of actors (Bergeron et al, 1998, 218–19). In this context, the question is no longer how communities manage to influence decision-makers (especially elected officials), but rather how they manage to partially replace them by altering the nature of the decision-making process.

Secondary harmonisation as policy standardisation through vertical and horizontal cooperation

The issues of expert-based policymaking can be usefully linked with the research on multilevel governance, for example, in a federalist context. In this light, it can be understood how, by using the opportunities offered by the functioning of a federal state, vertical epistemic communities manage to promote policy measures and standards that meet their expert criterion, while simultaneously leading to a certain secondary harmonisation among member states. Here, the notion of vertical epistemic community helps explain the secondary harmonisation process at work. Switzerland is a showcase example for the study of multilevel governance. As a highly federalist and decentralised state, Switzerland experiences a policymaking process located mainly at the subnational level. The cantons are endowed with extensive policy formulation and implementation competences leading to a certain

cantonal heterogeneity (Vatter, 2004). However, in spite of this important cantonal leeway, a phenomenon of secondary harmonisation has been observed in many policy fields: cantonal policies still tend to converge through diverse mechanisms (Kissling-Näf and Knoepfel, 1992, 65). Compensation logic is at work, and the cantons counterbalance their implementation differences and deficits via coordinating strategies, whereby such strategies have the potential to become real steering instruments for cantonal public action (Sager, 2003, 311). Secondary harmonisation is the result of these coordination activities. This secondary harmonisation facilitates better coherence at the national level. Cantonal policies can converge via different vertical or horizontal mechanisms, such as national incentives, inter-cantonal cooperation, and political or citizen initiatives (Balthasar, 2003). Harmonisation can also be described as ‘an increasingly prevalent feature of public administration designed to address regulatory overlap, duplication and inconsistency’, especially in federalist systems. The harmonisation processes may relate to the outputs, outcomes, principles or procedures, and aim at simple compatibility, consistency, or even uniformity (Windholz, 2012, 323 ss). In the case of tobacco control policies in Switzerland, horizontal inter-cantonal policy coordination had already existed, for example in voluntary negotiation arenas such as meetings of cantonal health ministers (Trein, 2016). Our focus here is on the national vertical coordination carried out through a new form of coordination: the emerging cantonal smoking prevention programmes.

Policy programmes – as a specific form of coordinated public action – are typical for the cantonal intervention in Swiss public health. They constitute an intermediate level of public action within the federalist state. As a ‘distinctive part of a policy portfolio...policy programs thus occupy a central position translating high-level goals and instrument logics and aspirations into operationalizable measures’ (Howlett et al, 2014, 2). In Switzerland, preventive policies in general have historically been conducted at the cantonal level, through a rather fragmented logic. Although cooperative strategies can be observed, certain obstacles often prevent full harmonisation, namely, the lack of cantonal resources to participate in horizontal inter-cantonal cooperation and insufficient national incentives to stimulate cantonal participation in vertical cooperation (Sager, 2003). Interestingly, it has been observed that in the case of programme adoption, the decision is usually more administrative than political (Sager and Rielle, 2013, 2). Avoidance of the political spheres can occur through the following processes:

While the fragmented territorial order necessitates voluntary coordination processes, it also fosters the danger of power-driven processes due to the high veto power of every participating municipality trying to maximize its advantage. This effect can be offset by the combination of a centralized organizational structure preventing parallel information flows with the separation of the technical sphere from the political sphere, supporting evidence-based rather than interest-oriented negotiations. This institutional constellation is described as ‘hierarchically embedded epistemic communities’. (Sager, 2005, 247)

These mechanisms of harmonisation and avoidance lie at the heart of our analysis of the activities of vertical epistemic community through coordination procedures and instruments in a federalist context.

Following these theoretical insights, we have two theory-driven expectations concerning the secondary harmonisation prompted by the actors of the vertical epistemic community observed in our case study. In the following, secondary harmonisation is our dependent variable, and we define it as regards the epistemic community’s achievements – namely, its ability to successfully promote

evidence-based and strengthened tobacco control policies. First, the secondary harmonisation at work in this field is achieved under the pressure of a powerful vertical epistemic community composed of national and subnational experts (as defined by Haas, 1992) which takes advantage of the need for federal and inter-cantonal cooperation (Sager, 2003) to impose its view. Second, this vertical epistemic community pursues its goals by infusing the policymaking process with expert knowledge (Haas, 1992, 23); in particular, we can expect that the epistemic community is likely to be successful by managing to intervene in the technocratic phase of the decision-making process (Peterson and Bomberg, 1997), or even by shifting the heart of the cantonal policymaking process away from the political spheres and towards the administrative ones.

The Swiss smoking prevention governance as a vertical epistemic community

Since 2011, a new epistemic community – mainly comprising national and cantonal senior civil servant in charge of designing and implementing tobacco control policies – has been emerging in this field. As smoking prevention policies in Switzerland are mainly a cantonal task, and politically controversial, this case is particularly salient to the examination of how a vertical expert network can work on their centralised coordination as well as technicalisation of policies. We will focus on three aspects. First, we will see that an emerging alliance between national and cantonal experts is leading to a new public health logic in this field. The usual cantonal ‘learning by doing’ method is being replaced by an evidence-based approach under the leadership of a vertical network of experts. Second, whereas the cantons previously limited themselves to a rather loose horizontal inter-cantonal coordination, we are now witnessing a truly secondary harmonisation process as a result of the vertical epistemic community’s coordination efforts around cantonal programmes as a new form of policy organisation. Third, we will analyse this epistemic community’s mode of action and see how it has succeeded in shifting the centre of gravity in policymaking from the political to the administrative level.

The case study is based on an ongoing comparative research on smoking prevention policies in fourteen Swiss member states. The study started in 2012 and is based on an exhaustive document analysis (parliamentary debates, reports, administrative guidelines, policy papers, yearly self-evaluation documents from implementation actors), semi-structured interviews with experts of the vertical epistemic community and field observations (national, cantonal and inter-cantonal expert meetings). To this day, six cantons have been studied and 62 interviews conducted. The case-study is structured as follows: we first provide an overview of the (in)formal division of competence that has so far prevailed in this policy area. Second, we relate the history of the vertical epistemic community, and locate its positioning within the multilevel system. Third, we analyse the evidence-based logic promoted by the vertical epistemic community in the context of the profile of its members. Fourth, we describe the procedure through which the new policy logic is diffused, before illustrating how the vertical epistemic community succeeds in partially moving the decision-making process away from politics.

Smoking prevention policy in Switzerland: the high degree of cantonal autonomy

In the Swiss multilevel system, the implementation of smoking prevention policies is a cantonal task, while the federal level is entrusted with the general regulatory requirements (tobacco products, taxation, national campaigns and global coordination). The cantons are responsible for designing and implementing the preventative, counselling, as well as therapeutic measures. Moreover, they have the authority, within the national legislative framework, to further regulate advertising, sale and passive

smoking. While the Confederation enacts the general legislative framework, the cantons are in charge of effective law enforcement. Until recently, due to the Confederation's weakness regarding policy implementation, coordination was mainly horizontal and derived from voluntary inter-cantonal efforts. Nevertheless, considerable change has occurred since the creation of a new leading national actor in 2004. Loose and partial inter-cantonal coordination is gradually being replaced by a more encompassing vertical coordinating approach under the leadership of federal experts, making it a particularly interesting case for the study of expert policymaking and policy change in a multilevel context.

The creation of a vertical epistemic community: local and national actors

The turning point in the policymaking logic occurred with the creation of a new actor at the national level in 2004: the Tobacco Control Fund, which rapidly built a genuine epistemic community, vertical in nature. The Fund was created after the increase in tobacco tax in 2003, decided by the national parliament. The Fund's mission is to manage this new and considerable revenue. It decides on the allocation of the money, distributing it among the relevant actors (cantonal administrations, non-governmental organisations (NGOs)). This decision-making power makes it an important actor within policymaking. A panel of experts designs the broad lines of the Fund's strategic orientation, which is approved by the Federal government every couple of years. The Fund finances prevention, cessation and information projects. The creation of a national tobacco control network is also one of its missions (RS 641.316, 2004, art.2). Thanks to its considerable steering power, the Fund was rapidly able to achieve this goal (Sager et al, 2015).

The actors in charge of designing and implementing smoking prevention policy at the cantonal level (mostly cantonal civil servants but sometimes also para-administrative organisations to which the task was delegated) were previously largely dependent on local authorities, which decided the budgets available for tobacco control. With the money derived from the new taxation rules, these cantonal actors can now request money from the Fund for important sums via a cantonal smoking prevention programme. While participation is not mandatory, this new policy structure enables the Fund to encourage cantonal actors to join the network through the creation of cantonal programmes. Through the policy definition process, both types of actors – national and cantonal – determine which path to take, gradually creating a common expert culture. Thus, cantonal programmes represent a concrete operationalisation of higher level goals and aspirations (Howlett et al, 2014, 2). The network-building activity of the Fund is intensive. It rapidly set up a channel of administrative, associative and academic actors throughout the country, who are integrated within the Fund's activities in various ways: counselling, partnerships, monitoring, coordination and joint research. Including these actors in its channelling activities allows the Fund to act in a flexible and efficient way. This corresponds to an integration of Type II governance actors in order to subvert the frontiers of the governance structure (Hooghe and Marks, 2003). Finally, the Fund's network grants access to local and national smoking prevention activities.

The Fund and its network form an epistemic community, since they share the same vision of prevention, based on their common professional background; they view their claims as legitimate because they are scientifically founded and empirically grounded, and their expertise is socially recognised. Furthermore, they assume that their knowledge grants them the right to formulate policy goals and procedures (Haas, 1992). Through their collaboration, a common epistemic culture and shared objectives are progressively being built. Together, these national and cantonal experts are

constructing common norms, language and mode of actions through their convergence around the new smoking prevention programmes.

This epistemic community grouped around the Tobacco Control Fund is comprised principally of actors who are for the most part trained in public health management and rely on the corresponding scientific literature, have a high-level education, leading positions, and generally less field experience than the grassroots prevention workers. In addition to the Fund's experts, the epistemic community comprises other national civil servants from the Federal Office for Public Health (FOPH). The community also comprises a committee of external experts (permanent consultative commission) whose mission is to advise the Fund (RS 641.316, 2004, art.7). Including university professors, senior civil servants, cantonal public health actors or members of leading smoking prevention NGOs, the members of this commission are a source of inspiration and legitimacy for the Fund, and encourage the diffusion of jointly developed ideas. Finally, the cantonal heads of the smoking prevention programmes (civil servants or para-administrative actors) are also part of the vertical epistemic community. Thus, this vertical epistemic community has access to both national and cantonal spheres of policymaking. National experts provide the network with financial resources, thematic expertise and experience in lobbying, while subnational experts provide local knowledge and entry points, as they have the legal competence to act at the cantonal level. Together, they can be seen as 'evidence translators' (Ingold and Monaghan, 2016), using the network to disseminate an evidence-based logic for smoking prevention policymaking.

The vertical epistemic community: the dissemination of the evidence-based logic

The core of the new public health logic promoted by this vertical epistemic community is an evidence-based, cumulative and evaluative logic. The idea is no longer to run fragmentary cantonal activities. Local activities have to be integrated into a national repertoire of best practices and scientifically evaluated in order to accumulate evidence. The aim is to draw lessons from the different cantonal experiences as to which approaches work best, and why. Naturally, these changes sometimes cause problems for the grassroots prevention workers. They have an intimate knowledge of the local circumstances, have invested time in the design of projects, and have longstanding experience. Some of them believe that the resources committed to the building of the epistemic community ought to be invested in the prevention itself instead.

In contrast, the members of the vertical epistemic community have strong incentives to alter the prevailing logic. They occupy more all-encompassing positions, which subject them to different types of constraints than the field workers. Their task consists in allocating and coordinating rather than implementing. The Fund plays an important role in the selection of projects and has to decide the optimal allocation of national resources. It is accountable to the national political authority as to the use of public funds. Hence, the Fund needs a system within which its choices can be secured and legitimised. As to the other national experts (FOPH, scientific experts), they share with the Fund a deep belief in the evidence-based approaches from a public health point of view. In terms of backgrounds, their profiles are closer to those of public health managers than prevention practitioners. The heads of the cantonal programmes, meanwhile, can substantially increase their preventative budget by participating in the process, play a greater role in orchestrating cantonal activities and diversify their action. Since their local activities were limited to the means granted by the cantonal authorities prior to the creation of the Fund, this financial leeway allows them a considerable degree of autonomy vis-a-vis cantonal politics. Thus, by participating in the process, the cantons surrender a certain thematic

and procedural autonomy to the benefit of the vertical epistemic community, in exchange for a more advantageous autonomy from local politics. This corresponds to the mechanism underlined by Thomas (1997), where members of an epistemic community exchange uncertainty against interdependence to the network.

Best practices: a depoliticized action repertoire

The new policy logic is diffused by means of the cantonal smoking prevention programmes, initiated by the Tobacco Control Fund. Subject to certain requirements, the cantons can apply to the Fund for the financing of a cantonal programme. The programme as a specific form of coordinated policy delivery is a powerful tool, which can strongly influence policy. For example, the cantons have to plan rigorous evaluations of the programmes, which is permeated with an impact logic that aims at measuring the programmes' effects and at drawing lessons for the future. The aim is to accumulate evidence about the conditions of success or failure for different projects of each programme. Each project has to be assigned precise output and outcome objectives. This typification allows for the construction of a centralised body of knowledge.

The Tobacco Control Fund also provides a predefined set of projects which can be implemented in the cantons. These projects can be selected by the heads of the cantonal programme, who then receive technical support to implement and evaluate them. Finally, the Fund specifically suggests that the cantons strengthen the applicable law. Through the provision of such a catalogue of projects, the epistemic community is able to intervene in the very content of cantonal programmes. Cantons are required to design their programme on the basis of a certain framework. The new design of the programmes in line with this evidence-based logic has initiated an unprecedented dynamic within the policymaking process. The phenomenon stimulates profound learning processes between cantonal and federal experts brought together in this vertical epistemic community. This logic infiltrates the cantonal level – the level with responsibility for policy implementation and broad policymaking powers. The vertically coordinated programmes become an instrument of policy convergence between cantons, thus leading to secondary harmonisation according to the definition of Kissling-Näf and Knoepfel (1992). The epistemic community succeeds in spreading its public health approach through a soft but powerful formative form of governance. Using this process of generating evidence-based policies, the vertical epistemic community attempts not only to strengthen tobacco control policy itself, but also to consolidate its own position as undisputed expert actor in the policymaking process. In doing so, the vertical epistemic community has managed to instigate important changes in the process of policy formulation and implementation, away from the political sphere.

Avoiding political controversy: the relocation of the decision-making process

The creation of the Fund occurred at a crucial juncture. A few years prior to its creation, the national experts were extremely dissatisfied with national tobacco control policy, which had reached an impasse. One political event was particularly revealing of the obstacles at the national level. In 2003, the national parliament refused a general ban on tobacco advertising that would have been based on the European example. Up until that point, along with the protection against second-hand smoke, the general advertisement ban had been one of the experts' main challenges. Nevertheless, the federal assembly approved an increase in tobacco tax and the creation of the Fund in the very same year. The experts who had pushed for the creation of the Fund drew conclusions from the obstacles to legislative improvements: the political interests in this domain are highly contradictory, as the decisions made by

the national parliament showed (Spinatsch and Hofer, 2004, 1). Taking note of the potential political obstacles when putting such divisive subjects to the vote, yet willing to strengthen the cause, these national experts decided to pursue a new approach. The Fund, as a flexible organisational tool, provides the ideal opportunity to work toward this aim.

Following this parliamentary defeat, the national network focused on a more depoliticised and discrete *modus operandi*. Instead of advocating new proposals at the national level, it pursues its new approach primarily by allying with cantonal actors in charge of local policies and enacting guidelines for the cantonal programmes. This new focus is the reason for the creation of the vertical epistemic community. The Fund began to address the cantons directly and, through targeted support, to encourage them to strengthen and to better enforce their legislation. It gave the cantons the means to better exert their power, thus providing 'learning opportunities' that facilitate policy change (Radaelli, 1999, 769). The coordination encouraged by the Fund through the empowerment of each canton fosters local policymaking and secondary harmonisation. Despite the tensions, the activities of the cantonal and the national experts forming the vertical epistemic community are mutually supportive.

The difficulty of achieving any improvement via the national political arena was later confirmed: a federal law on smoking restrictions in public places was passed in 2010 but remained rather loose, and the Swiss population rejected a popular initiative that aimed at reinforcing protection against second-hand smoke exposure in 2012 – an initiative that was not actually launched by the vertical epistemic community. Following these substantial defeats at the national political level, the Fund (FPT, 2012, 3, authors' translation) stated in a position paper that:

The smoking prevention programmes developed by the cantons allow them to make full use of the competences entrusted to them by law, in a concrete and targeted manner...the cantons play a central role in smoking prevention in Switzerland. They must continue to exploit their broad legislative competencies to reduce tobacco consumption and protect health, in particular against passive smoking, by taking measures concerning advertising and sponsorship, or access to tobacco products (for example by prohibiting their sale to youth).

This sudden insistence on the cantonal competence appears as a means of overcoming the national political blockages. According to this logic, the Fund pays special attention to law enforcement in regard to the financing of cantonal programmes. Part of the Fund's support aims specifically at the proper application of existing cantonal laws regarding advertising, smoking bans, and sales to minors. By doing so, it deals with more technocratic phases of the policymaking (Peterson and Bomberg, 1997). In practice, the cantons often do not have the resources to fully monitor the implementation of the existing law through police or labour inspectorate controls, or test purchases to prevent sales to minors. Unable to change the national legislation, and taking advantage of the federalist system (Studlar, 2009), the experts focused on the cantonal level. Whereas the lack of local action in the area of law enforcement was previously a result of cantonal political choices concerning resource allocation, the Fund has transformed this into a technical issue by providing the necessary means to enhance implementation. Moreover, the Fund also specifically encourages cantons to strengthen their regulations, by financing projects that aim to prepare cantonal revisions of these regulations (for example, advertising restrictions). The cantonal experts seize these opportunities to advance the cause at the local level.

With the existence of the Fund, the cantonal experts have more resources for law enforcement and reforms. Previously, they concentrated their efforts mainly on behavioural prevention. Now, with these significant increases of their budgets, they are able to (and motivated to) pay more attention to these aspects. Moreover, unless it is explicitly challenged in parliament, law enforcement in the cantons remains limited to the executive and administrative levels. The entire issue can remain fairly low-profile in contrast to the situation if a comprehensive debate on allocating choices were to be played out in parliaments. Similarly, through these programmes, legal reforms are now planned and prepared by experts before the topic emerges in the cantonal parliaments. Such reform proposals can eventually be proposed by the governments as technical revisions requested by professionals, thus limiting the risk of political appropriation. This proves more difficult when the reforms are directly proposed by a parliamentary group. The strategy of the vertical epistemic community is thus to avoid the political sphere whenever possible, and to confine the policymaking process to the administrative and expert levels. The processes that occur within the epistemic community are less visible, and, thus, less open to attack by external opponents. Furthermore, it is unlikely that cantonal politicians refuse the resources offered by the Fund, even if these may be synonymous with a relative transfer of authority to the smoking prevention experts. Consequently, the process launched in the wake of the epistemic community is remodelling the decision-making process, shifting it from the political to the administrative arenas.

Conclusion and perspectives

The described network of national and subnational stakeholders constitutes what we call a vertical epistemic community. It has successfully gained legitimacy by including a large network of tobacco control experts among its members in order to overcome existing political obstacles. The three elements highlighted in the literature on epistemic communities (Haas, 1992) – a set of professional actors willing to translate their expert-based ideas into policy objectives – were indeed present in our case. Moreover, they were divided among different levels of government. Both types of experts fuelled the vertical epistemic community with specific resources: financial means and knowledge for the national experts, and field experience, local legitimacy and entry points for the subnational experts. By paying allegiance to an interdependent vertical expert network, these actors were able both to overcome the political deadlock at the national level on the one hand, and to gain autonomy from local allocative political decisions on the other hand. These experts transformed smoking prevention policies via the cantonal smoking prevention programmes as a specific form of coordinated policy delivery. Ultimately, through the vertical coordination initiated around these new programmes, a new form of secondary harmonisation has emerged in this policy area. This harmonisation is carried out through an innovative process, notably the diffusion of evidence-based best practices, and fosters cantonal legislative progress. In turn, by progressively imposing new policy standards, this secondary harmonisation tends to further strengthen the vertical epistemic community in its ability to shift policymaking from politics to administration.

It thus appears that a strong vertical epistemic community could be a decisive factor in the secondary harmonisation in a federalist system. Through its financial, scientific, and technical capabilities, the Fund was able to enrol subnational actors. Furthermore, the vertical epistemic community has partly shifted the decision-making process to the administrative spheres, thus technicising it. Crucially, in our case, the epistemic community itself actively worked to alter the substance of the decision-making process by provoking this shift. This point is important as the epistemic community literature tends to

focus on the ability of the coalitions to convince decision-makers. Epistemic communities are seen as ‘the transmission belts by which new knowledge is developed and transmitted to decision-makers’ (Haas, 2004, 587). The latter seem to be viewed as somewhat a fixed factor. In our case, the epistemic community displays more than convincing power: by bypassing the political arena, this vertical epistemic community demonstrated its ability to partially codetermine the decision-makers. The literature has strongly highlighted how challenging it can be to mobilise knowledge in a policymaking process when political debate is simultaneously underway (Haas, 2004, 588). In our case, the epistemic community strives precisely to build a solid centralised corpus of knowledge and practice upstream of any political debate.

Some general conclusions can be drawn from our investigation. First, we argue that the observed governance structure of building expertise and depoliticising policy issues can be abstracted from the case study. Vertical epistemic communities can be regarded as a specific form of multilevel governance by expert networks in which scientific knowledge and common understanding not only supports horizontal coordination among different constituencies, but rather, is actively included in a vertical network, whereby concrete policy goals are pursued in a top-down manner. Second, secondary harmonisation between subnational units can be driven by vertical epistemic communities that include actors from different levels of government and bring them together around common objectives and governing structures. Third, vertical epistemic communities take particular advantage of multilevel systems, such as federalist states, which offer various entry points. The existing need for horizontal and vertical coordination in such systems provides these networks with numerous opportunities to promote their views. By including the key players at different levels (national and subnational civil servants for instance), experts in the vertical epistemic communities are able to diffuse their solution in many policy arenas and to play with the different levels, as Studlar (2009) has shown, in order to avoid deadlock. In this context, the ability of the experts to ‘supply concrete policy solutions to governments’ (Hawkins and Holden, 2014, 67) is decisive in the policymaking process. As Benz et al (2016) note with respect to the European Union, governance research that pays closer attention to the complex administrative interactions in multilevel systems has great potential for achieving a genuine understanding of the power of such ‘multilevel administration’. Fourth, next to the preconditions for the success of epistemic communities influencing policymaking listed by Cross (2013), their ability to remove the decision-making process from the political arena towards the administrative arena can be added.

To conclude, bringing together the epistemic communities perspective (Haas, 1992) – usually rather focused on horizontal processes – and the multilevel governance perspective, which often emphasises vertical steering, provides important insights. The specificities of a particular sort of epistemic communities – which we refer to as vertical – was highlighted. We showed that vertical epistemic communities are particularly suitable to mobilise experts on sectoral policymaking in a multilevel context. This is of special relevance in federalist systems such as Switzerland or the United States, and can also shed light on the dynamics of certain policy processes in supranational systems such as the European Union. The vertical epistemic community concept may be further tested in other policy and implementation networks, and future research may corroborate similar governance logics in other sectors within multilevel settings, be it in a national or in an international context.

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References

- Alcantara, C, Nelles, J, 2014, Indigenous peoples and the state in settler societies: Toward a more robust definition of multilevel governance, *Publius* 44, 1, 183–204
- Balthasar, A, 2003, Die Prämienverbilligung im Krankenversicherungsgesetz: Vollzugsföderalismus und sekundäre Harmonisierung, *Swiss Political Science Review* 9, 1, 335–54
- Benz, A, 2012, Yardstick competition and policy learning in multi-level systems, *Regional and Federal Studies* 22, 3, 251–67
- Benz, A, Corcaci, A, Doser, JW, 2016, Unravelling multilevel administration: Patterns and dynamics of administrative co-ordination in European governance, *Journal of European Public Policy* 23, 7, 999–1018
- Bergeron, H, Surel, Y, Valluy, J, 1998, L'Advocacy coalition framework: Une contribution au renouvellement des études de politiques publiques?, *Politix* 11, 41, 195–223
- Bossman, A, Studlar, D, 2009, Lesson-drawing and public policy: Secondhand smoking restrictions in Scotland and England, *Policy Studies* 30, 3, 365–82
- Cairney, P, Weible, CM, 2015, Comparing and contrasting Peter Hall's paradigms and ideas with the advocacy coalition framework, in J Hogan, M Howlett (eds) *Discourses, ideas and anomalies in public policy dynamics*, London: Palgrave Macmillan UK, pp 83–99
- Cross, M, 2013, Rethinking epistemic communities twenty years later, *Review of International Studies* 39, 1, 137–60
- Dolowitz, DP, Marsh, D, 2000, Learning from abroad: The role of policy transfer in contemporary policy-making, *Governance* 13, 1, 5–23
- Dunlop, C, 2009, Policy transfer as learning: Capturing variation in what decisionmakers learn from epistemic communities, *Policy Studies* 30, 3, 289–311
- Dunlop, C, 2010, Epistemic communities and two goals of delegation: Hormone growth promoters in the European Union, *Science and Public Policy* 37, 3, 205–17
- FPT (Fonds de prévention du tabagisme), 2012, *Financement des programmes cantonaux de prévention du tabagisme. Cadre et conditions régissant le soutien financier accordé par le fonds de prévention du tabagisme*, Berne: Office fédéral de la santé publique
- Gilardi, F, 2010, Who learns from what in policy diffusion processes?, *American Journal of Political Science* 54, 3, 650–66.

- Haas, P, 1992, Introduction: Epistemic communities and international policy coordination, *International Organization* 46, 1, 1–35
- Haas, P, 2004, When does power listen to the truth? A constructivist approach to the policy process, *Journal of European Public Policy* 11, 4, 569–92
- Hawkins, B, Holden, C, 2014, ‘Water dripping on stone’? Industry lobbying and UK alcohol policy, *Policy and Politics* 42, 1, 55–70
- Hogan, J, O’Rourke, BK, 2015, The critical role of ideas: Understanding industrial policy changes in Ireland in the 1980s, in J Hogan, M Howlett (eds) *Discourses, ideas and anomalies in public policy dynamics*, London: Palgrave Macmillan UK, pp 167–88
- Hooghe, L, Marks, G, 2003, Unraveling the central state, but how? Types of multi-level governance, *The American Political Science Review* 97, 2, 233–43
- Howell, KE, 2009, Europeanization, globalization and domestication: Financial services regulation in the UK, *International Journal of Law and Management* 51, 5, 310–26
- Howlett, M, Mukherjee, I, Rayner, J, 2014, The elements of effective program design: A two-level analysis, *Politics and Governance* 2, 2, 1–12
- Ingold, J, Monaghan, M, 2016, Evidence translation: An exploration of policy makers’ use of evidence, *Policy and Politics* 44, 2, 171–90
- King, M, 2005, Epistemic communities and the diffusion of ideas: Central bank reform in the United Kingdom, *West European Politics* 28, 1, 94–123
- Kissling-Näf, I, Knoepfel, P, 1992, Politikverflechtung dank zentralstaatlichem Immobilismus? Handlungsspielräume kantonaler Vollzugspolitiken im schweizerischen politisch-administrativen System, in H Abromeit, W Pommerehne (eds) *Staatstätigkeit in der Schweiz*, Bern/Stuttgart: Haupt, pp 43–69
- Kübler, D, 2001, Understanding policy change with the advocacy coalition framework: An application to Swiss drug policy, *Journal of European Public Policy* 8, 4, 623–41
- Marier, P, 2008, Empowering epistemic communities: Specialised politicians, policy experts and policy reform, *West European Politics* 31, 3, 513–33
- Peters, BG, 2013, Towards policy coordination: Alternatives to hierarchy, *Policy and Politics* 41, 4, 569–84
- Peterson, J, Bomberg, E, 1997, *Decision-making in the European Union*, Basingstoke: Macmillan
- Piattoni, S, 2014, Multi-level governance and public administration, in BG Peters, J Pierre (eds) *The Sage handbook of public administration*, London: Sage, pp 668–80
- Radaelli, C, 1999, The public policy of the European Union: Whither politics of expertise?, *Journal of European Public Policy* 6, 5, 757–74

- Richmond, O, 2008, Horizontal and vertical multilateralism and the liberal peace, in D Bourantonis, K Ifantis, P Tsakonas (eds) *Multilateralism and security institutions in an era of globalization*, London/New York: Routledge, pp 163–80
- RS 641.316, 2004, *Ordonnance du 5 mars 2004 sur le fonds de prévention du tabagisme (OFPT)*, Berne: Conseil fédéral suisse
- Sager, F, 2003, Kompensationsmöglichkeiten föderaler Vollzugdefizite: Das Beispiel der kantonalen Alkoholpräventionspolitiken, *Swiss Political Science Review* 9, 1, 309–33
- Sager, F, 2005, Metropolitan institutions and policy coordination: The integration of land use and transport policies in Swiss urban areas, *Governance: An International Journal of Policy, Administration, and Institutions* 18, 2, 227–56
- Sager, F, Rielle, Y, 2013, Sorting through the garbage can: Under what conditions do governments adopt policy programs?, *Policy Sciences* 46, 1, 1–21
- Sager, F, Mavrot, C, Hadorn, S, 2015, Addressing multilevel program complexity by evaluation design, *European Policy Analysis* 1, 2, 90–110
- Spinatsch, M, Hofer, S, 2004, *Une nouvelle politique en matière de dépendances pour la Suisse? Bases et prémisses pour une politique fédérale plus intégrée en matière de dépendances*, Berne: Rapport à l'attention de l'Office fédéral de la santé publique
- Studlar, D, 2009, What explains the paradox of tobacco control policy under federalism in the US and Canada? Comparative federalism theory versus multilevel governance, *Publius: The Journal of Federalism* 40, 3, 389–411
- Thomas, CW, 1997, Public management as interagency cooperation: Testing epistemic community theory at the domestic level, *Journal of Public Administration Research and Theory* 7, 2, 221–46
- Trein, P, 2016, Europeanisation beyond the European Union: Tobacco advertisement restrictions in Swiss cantons, *Journal of Public Policy*, doi: <http://dx.doi.org/10.1017/S0143814X16000167>.
- Vatter, A, 2004, Challenges to intergovernmental relations in Switzerland and Japan, *Swiss Political Science Review* 10, 3, 77–102
- Windholz, E, 2012, The multiple domains of harmonisation: Politics, policy, process and program, *Australian Journal of Public Administration* 71, 3, 325–42
- Zito, A, 2001, Epistemic communities, collective entrepreneurship and European integration, *Journal of European Public Policy* 8, 4, 585–603