

Final report: “The hidden political effects of the Swiss federal reform: The NFA and the changing power relations in the Swiss cantons” (SNF-project-no. 159343)

Projekt leader: Prof. Dr. Adrian Vatter, University of Bern

Overview

This final report on the research project “The hidden political effects of the Swiss federal reform: The NFA and the changing power relations in the Swiss cantons” (No. 159343) – carried out between April 2016 and December 2019 by the principal investigator, Prof. Dr. Adrian Vatter, holder of the Chair of Swiss Politics of the Institute of Political Science IPW at the University of Bern – aims at providing a summary of its main findings and assessing its research impact.

As the title of the research project states, the main object of investigation is the “*Neugestaltung des Finanzausgleichs und der Aufgabenteilung zwischen Bund und Kantonen (NFA)*”, adopted by referendum in November 2004 and in force since 1 January 2008. The reform did not only set up a new fiscal equalization scheme, but also disentangled several tasks between the federal and the cantonal level and strove for more efficient vertical and horizontal cooperation within the Swiss federation. While the NFA has often been praised as the most fundamental reform of Swiss federalism, research on its political effects, especially regarding the subnational level, is rather scarce, if not to say, missing. The project aimed at filling this gap and asked the following overall research question (see also project application, p. 6): “What has been the impact of the NFA on the political systems of the Swiss cantons?” The relevance of this question derives not only from a lack of research, but also the wider public’s interest in the topic in general and ongoing political debates on a possible follow-up reform, the so-called “NFA 2” (e.g. see Amrein 2013; Rühli and Rother 2017). Thus, it is reasonable to research on the actual effects of the first NFA before embarking on a second.

In the project, the overall research question was divided into two sub-projects that each addressed crucial but varying aspects of the political systems of the Swiss cantons. As set out in the project proposal (p. 6ff.), the first sub-project focused on the vertical relations between all three (local-cantonal-federal) state levels, while the second analysed the horizontal relations both between and within (executive-legislative relations) cantons. This report presents the main findings from each sub-project in this order (next two sections). It then concludes with a critical reflection on the overall findings of the project and its wider impact as well as related activities, such as notably a conference in the Swiss Council of States.

Dissertation project I: “Shifting vertical power relations – Four empirical studies on the fiscal effects of the Swiss federal reform 2008 and the Belgian federalisation 1993”

The first sub-project – and thus the first dissertation – focuses on the impact of the NFA on the vertical power relations in the Swiss federation, i.e. one of the two dependent variables outlined in the research proposal (p. 8). The dissertation was submitted in November 2019 by Tobias Arnold (first supervisor: Prof. Dr. Adrian Vatter; second supervisor Prof. Dr. Andreas Ladner, IDEAHP/University of Lausanne) and accepted by the Faculty of Business, Economics and Social Sciences of the University of Berne on February 2020.

The cumulative dissertation consists of a total of four peer-reviewed journal articles:

Arnold, T. (2019a). *Shifting vertical power relations. Four empirical studies on the fiscal effects of the Swiss federal reform 2008 and the Belgian federalisation 1993*. Dissertation submitted in November 2019 by Tobias Arnold and accepted by the Faculty of Business, Economics and Social Sciences of the University of Berne on February 2020.

Arnold, T. (2019b). Reforming autonomy? The fiscal impact of the Swiss federal reform 2008. *Regional & Federal Studies*, advanced online: <https://doi.org/10.1080/13597566.2019.1630612>.

Arnold, T. (2017). Playing the vertical power game: The impact of local authorities in cantonal parliaments on the financing of special schools. *Swiss Political Science Review* 23(2): 116–143.

Mueller, S., A. Vatter, and T. Arnold (2017). State capture from below? The contradictory effects of decentralisation on public spending. *Journal of Public Policy* 37(4): 363–400.

Arnold, T., and I. Stadelmann-Steffen (2017). How federalism influences welfare spending: Belgium federalism reform through the perspective of the synthetic control method. *European Journal of Political Research* 56(3): 680–702.

Further research outputs are two contributions to the *Jahrbuch des Föderalismus* of the University of Tübingen (Arens et al. 2017; Arnold et al. 2019) and presentations of interim results at conferences and meetings as well as on DeFacto, the main blog of the Swiss political science community:

Arnold, T., A. Arens, S. Mueller, and A. Vatter (2019). Schweizer Föderalismus im Wandel: die versteckten politischen Effekte der NFA. In *Jahrbuch des Föderalismus 2019*, edited by Europäisches Zentrum für Föderalismus-Forschung Tübingen (EZFF). Baden-Baden: Nomos, pp. 175–186.

Arnold, T., S. Mueller, and A. Vatter (2018). Shock or Design: What Drives Fiscal Centralization? A Comparative Analysis of 19 OECD countries, 1995–2014. Paper presented at the *SVPW/ASSP Annual Conference, University of Geneva, 5.–6. February 2018*.

Arnold, T. (2018). *Die Macht der Doppelmandate*. Zurich: DeFacto: URL: <https://www.defacto.expert/2018/10/03/die-macht-der-doppelmandate/>.

Arens, A., T. Arnold, S. Mueller, and A. Vatter (2017). Föderalismus und Dezentralisierung in der Schweiz: Die politischen Effekte der Föderalismusreform NFA. In *Jahrbuch des Föderalismus 2017*, edited by Europäisches Zentrum für Föderalismus-Forschung Tübingen (EZFF). Baden-Baden: Nomos, pp. 184–195.

Arnold, T. (2017). Die Wettbewerbsfähigkeit der Schweiz im Lichte der jüngsten Föderalismusreform. Beitrag für den *Konferenzband zur 5. Nationalen Föderalismuskonferenz, 26.–27. Oktober 2017, Montreux*.

Arens, A., and T. Arnold (2017). Fiscal equalization in Switzerland, Germany, and Canada. *Book Chapter Proposal*, Institute of Political Science IPW (Chair of Swiss Politics), University of Bern.

Arnold, T. (2016). *Wenn Dezentralisierung die Staatsausgaben erhöht*. Zurich: DeFacto. URL: <https://www.defacto.expert/2016/01/05/dezentralisierung/>.

In the following, the methods and main results of the individual papers of the dissertation are briefly presented and it is shown how they relate to the overall research question posed in this project.

The first article (Arnold 2019b) takes a macro-perspective and tackles the question on the impacts of the Swiss federal reform on subnational fiscal power. Using a counterfactual logic, the Swiss case is compared to other federal states in which no equivalent reforms took place. The reform effect is quantified using the concept of fiscal autonomy; a self-constructed set of indicators that measures the change in cantonal fiscal autonomy on the basis of available revenue and expenditure data. The study reveals that the NFA slightly increased the share of subnational expenditure. To the detriment of the cantons, however, there was no equivalent change of revenue. On aggregate, then, the cantons ended with more costs than fiscal benefits.

The second article (Arnold 2017) deepens these findings and focuses on cantonal-local relations or, in other words, on intra-cantonal decentralisation. The author collected data on the distribution of expenditure among the cantonal and the local level in one specific policy area, namely the newly cantonalised policy area of special schools (assigned to the category of *self-rule* in the research proposal, pp. 6–7). Second, the author conducted an extensive survey on the existence of dual mandates, i.e. persons holding an executive office at local level (mayors and local councillors) as well as being members of a cantonal parliament. The findings reveal that the formerly federal share of total special schools expenditure has largely been taken over by the cantonal, and not by the local level. In other words, the reform has led to more intra-cantonal centralisation, at least regarding the expenditure side of that particular policy area. This centralising effect has been the stronger the more local authority members sit in the respective cantonal parliament.

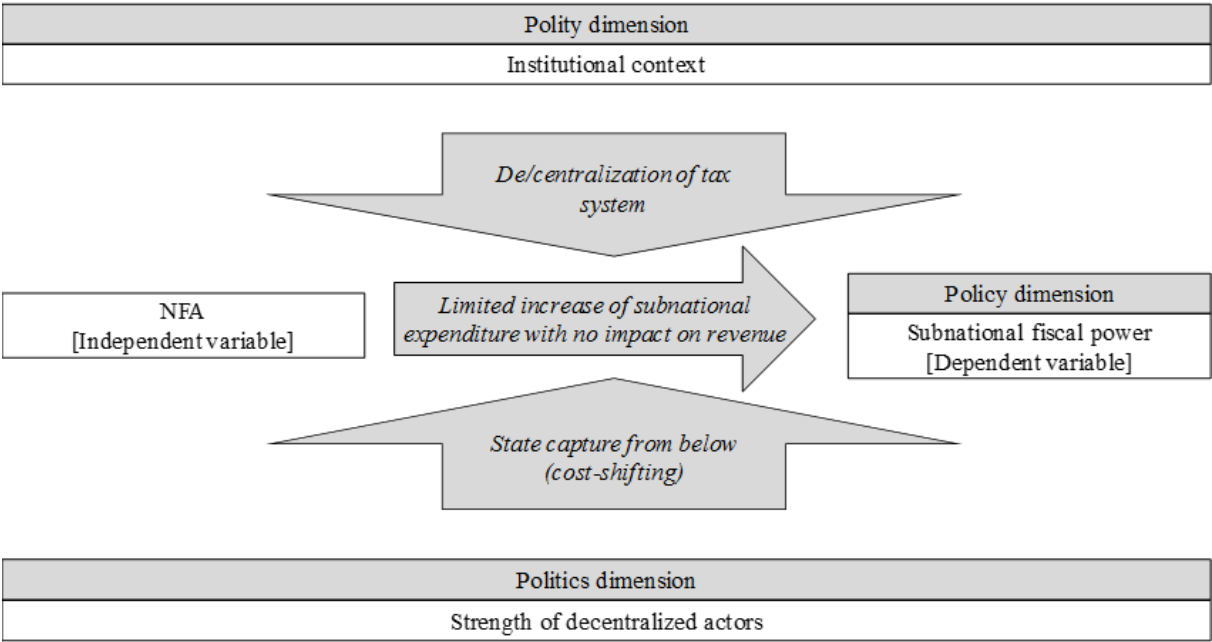
In the third article (Mueller, Vatter and Arnold 2017), the effect found for special schools is corroborated for all policy areas. Using a multi-dimensional operationalisation of the strength of local governments within a canton, the findings reveal a robust effect throughout all cantons and policy areas: The stronger local governments are politically, the more expenditure is centralised within a canton. This general finding can be directly applied to the NFA and thus the overall research question: The cantons are in a “sandwich position”, being under pressure not only from the federal level above (Arnold 2019b), but also from the municipal level below (Arnold 2017; Mueller, Vatter and Arnold 2017). Both the upper and the lower state levels try to offload expensive policies onto the cantons, while the share of revenue remains almost the same across all three state levels. Cantonal governments are under particular pressure in those cantons where the municipalities operate from a strong position.

Finally, these findings on the effects of the Swiss NFA are compared to the federalisation reform in Belgium in 1993 (Arnold and Stadelmann-Steffen 2017). It appears that the institutional context plays a crucial role in determining the impact of the two reforms. In Switzerland, the tradition of subnational tax autonomy limits the possibilities to increase

cantonal revenue to the same degree as expenditure. Differently so in Belgium, where subnational revenue is largely determined by central government grants that can be adjusted more easily.

The findings of all four articles are summarized in the conclusion of the PhD dissertation submitted in November 2019. Furthermore, their contribution to the literature as well as further research questions that arise therefrom are discussed in depth in the closing part of the dissertation. Figure 1 provides an overview of the key findings by illustrating the main result, i.e. limited and rather negative fiscal effects for the cantons, as well as the important intervening variables that moderated the reform effect, i.e. a decentralised tax system (institutional context) and the strength of local actors (political context).

Figure 1: Analytical framework of the dissertation of Tobias Arnold and key findings



Source: Arnold (2019a: 105).

Dissertation project II: “Federal Reform and Intergovernmental Relations in Switzerland. An Analysis of Intercantonal Agreements and Parliamentary Scrutiny in the Wake of the NFA”

The second sub-project provides insights into the logic of horizontal intercantonal cooperation – one of the targets of the NFA (see introduction to this report) – and its effects on the cantons’ executive-legislative relations, i.e. the other of the two dependent variables central to the overall project (see project application, p. 8). Unlike the first, the second sub-project results in a monograph written by Alexander Arens and planned to be submitted by the end of March 2020. Accompanying publications, working papers and conference attendances, of crucial importance towards finishing the monograph, as the following:

Arens, A. (forthcoming). *Federal Reform and Intergovernmental Relations in Switzerland. An Analysis of Intercantonal Agreements and Parliamentary Scrutiny in the Wake of the NFA*. Dissertation. Bern: University of Bern, Institute of Political Science IPW.

Arens, A. (2019a). What Separates the Wheat from the Chaff: Federalism in Conceptual and Empirical Terms. Paper presented at the Workshop *State and Key Topics of Research on Federalism*, Institute of Political Science IPW (Chair of Swiss Politics), University of Bern, 11. June 2019.

Arens, A. (2019b). Decision-Makers or Backbenchers? On the Adaptability of Subnational Legislatures in Intergovernmental Relations. Paper presented at the *SPSA Annual Conference & Dreiländertagung 2019, ETH Zurich, 14.–16. February 2019*, and at the *IPW Research Seminar, University of Bern, 2. October 2019*.

Arens, A., and R. Freiburghaus (2019a). Durch Verdoppeln einbeziehen: Ämterkumulation in der Schweiz. In *Konkordanz im Parlament. Entscheidungsfindung zwischen Kooperation und Konkurrenz*, edited by M. Bühlmann, A. Heidelberger, and H.-P. Schaub. Zurich: NZZ Libro, pp. 143–169.

Arens, A., and R. Freiburghaus (2019b). *Durch Verdoppeln einbeziehen: Ämterkumulation in der Schweiz*. Zurich: DeFacto. URL: <https://www.defacto.expert/2019/11/27/durch-verdoppeln-einbeziehen-aemterkumulation-in-der-schweiz/>.

Arnold, T., A. Arens, S. Mueller, and A. Vatter (2019). Schweizer Föderalismus im Wandel: die versteckten politischen Effekte der NFA. In *Jahrbuch des Föderalismus 2019*, edited by Europäisches Zentrum für Föderalismus-Forschung Tübingen (EZFF). Baden-Baden: Nomos, pp. 175–186.

Freiburghaus, R., A. Arens, and S. Mueller (2019). With, Without, or Against their Region? Multiple-mandate holders in the Swiss Parliament, 1985–2018. Paper presented at the *IPW Research Seminar*, University of Bern, 28. March 2019.

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Arens, A. (2018c). Book Review: Bojan Kovačević (2017). Europe's Hidden Federalism: Federal Experiences of European Integration. *Swiss Political Science Review* 24(1): 103–106.

Arens, A., and R. Freiburghaus (2018a). Patterns of Intergovernmental Relations: An Assessment of Treaty-Based Horizontal Cooperation in Two Federations. Paper presented at the *ECPR General Conference 2018, University of Hamburg, 22.–25. August 2018*, and the DVPW-Workshop (Themengruppe Föderalismus) *Neuere Forschungen zum Thema Föderalismus und Multilevel Governance*, FU Berlin, 31. January 2020.

Arens, A. (2017). Intergovernmental cooperation in a dynamic environment: An analysis of the development of intergovernmental agreements and its explanations in subnational Switzerland. Paper presented at the *ECPR General Conference 2017, University of Oslo, 6.–9. September 2017*, and at the *SVPW/ASSP Annual Conference, University of Geneva, 5–6 February 2018*.

Arens, A., and T. Arnold (2017). Fiscal equalization in Switzerland, Germany, and Canada. *Book Chapter Proposal*, Institute of Political Science IPW (Chair of Swiss Politics), University of Bern.

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Subsequently, the major steps and findings of this second sub-project are summarized. Before the analyses of the specific processes at hand could be undertaken, a theoretical and conceptual effort had to be made to locate them in the overarching concept of federalism (Arens 2019a). Therefore, the *Regional Authority Index* (RAI) by Hooghe et al. (2010, 2016), the most recent approach in measuring the power of subnational entities, was analysed against the background of the conventional dichotomous classification of states as having either a unitary or a federal structure. This introductory analysis showed that it is *shared rule*, i.e. joint decision-making and its enactment by state levels, rather than *self-rule*, i.e. autonomous jurisdiction of subnational entities, that constitutes federalism. Since (horizontal) intergovernmental relations (IGR) are a part of the former but originate from the latter, this second sub-project speaks to the very core of federalism.

Zooming in, the sub-project first investigated the effects of the NFA on horizontal cooperation by means of intergovernmental agreements (IGA) between the cantons, so-called *Konkordate*. As set out in the project proposal (p. 7), the NFA incentivized their use in specified policy areas with shared costs and burdens, among others, to counter freeriding and provide public goods more efficiently. In order to understand IGA, their nature and functions were clarified. The analysis of IGA is key to the dissertation since they are an institutional cornerstone of the Swiss federal system (Vatter 2018: 32ff.), were further institutionalized

through the NFA, but are rather neglected by the scholarship (for exceptions see Bochsler 2009 and Bochsler and Sciarini 2006).

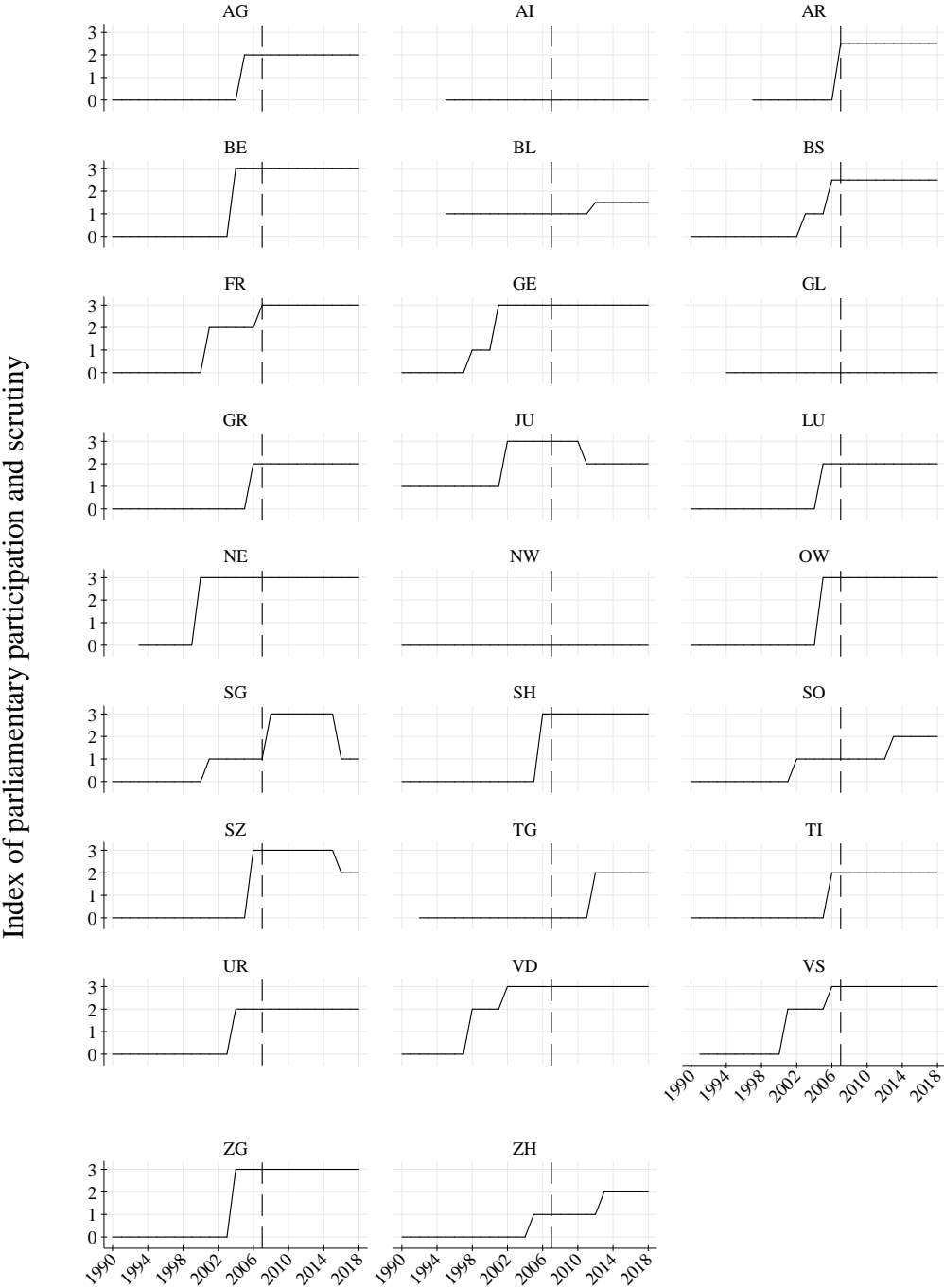
Therefore, in an extensive process of data collection, information was compiled on all *Konkordate* in force as of 2016. The analyses showed that intercantonal cooperation follows rather a functional than a political logic so that several geographically demarcated areas (macro-regions) can be identified within which most intercantonal cooperation takes place (Arens 2017). To further test these findings, they were contrasted with data on all German *Staatsverträge* as of 2018 (Arens and Freiburghaus 2018a) and all US interstate compacts as of 2019, the equivalent institutions in the respective countries. This descriptive international comparison draws on new, original data as well and confirms the previous findings of IGA as mainly being a part of regionalized politics within functional, geographically demarcated areas.

Approaching the core question of whether the NFA spurred horizontal cooperation by means of intercantonal contracting, the own-collected data on the Swiss case as of 2016 was compared to respective data from 2006 (Bochsler 2009) and 1980 (Frenkel and Blaser 1981). This reveals that there has been no (significant) change in mere quantitative terms in the post-reform-era. However, other indicators, more precisely the amount of (intercantonal) contributions to and from cantons and *Konkordate*, have steadily grown over time – with the NFA being a possible critical juncture further spurring this development.

The second part of this sub-project focused on the effects of the NFA on the executive-legislative relations with respect to IGA-negotiations (Arens 2019b, 2018a). Thereby, the dissertation tested in how far (the mere threat of more) intercantonal cooperation altered the power balance between cantonal executive and legislative branches (see project application, p. 8). The hypotheses in the project proposal (pp. 8–10) had stated that intercantonal cooperation had led to empowered governments and weakened parliaments. However, already the descriptive analysis (see Figure 2) illustrates that, rather to the contrary, cantonal legislatures have enhanced their formal means to hold their governments accountable during IGA-negotiations in the wake of the NFA. A multivariate analysis confirmed this finding. Subsequent qualitative investigations of three typical cases (“on-the-line”; see project application, p. 10) provide further insights into how the NFA is linked to cantonal parliamentary reforms.

In sum, the second sub-project focused on one specific instrument of the NFA, i.e. horizontal intercantonal cooperation by means of IGA. It was able to 1) locate the instrument’s significance within the general and overarching concept of federalism; 2) assess its extent, development and logic in the Swiss case against the background of the NFA, including an international comparison; and 3) trace parliamentary reforms on better involvement in intercantonal affairs back to the NFA and (its mere threat of enhanced) horizontal cooperation. Since research on the topic is scarce, the sub-project contributed to the literature with a compilation of various datasets, but also used these analytically for descriptive and explanatory purposes. Regarding future research, more analytical endeavours shall be undertaken as to further make use of the extensive datasets compiled. Identical or similar compilations building on the ones already set up here are equally desirable to further investigate the state, causes and consequences of IGA.

Figure 2: Parliamentary participation in and scrutiny of intercantonal affairs, 1990–2018



Source: Arens (forthcoming).

Conclusion

The findings of the project relativize the mostly positive picture of the NFA drawn by practitioners and researchers alike. The NFA has not fundamentally changed Switzerland's federal structure. Looking at key aspects such as functional (de-)centralisation or the number of IGA that are in force – two core targets of the NFA – make clear that at the macro level, the political effects of the NFA are negligible. Even before the NFA, Switzerland has already been highly decentralised in terms of fiscal policy, and the cantons have cooperated with each other on a binding basis for a long time.

In that sense, the approach of this research project has proven to be highly valuable, i.e. to look for “hidden effects” on a small scale and by zooming into specific policy areas, actor structures and smaller scale institutional reforms. For instance, the first dissertation has revealed the importance of municipal actors operating at cantonal level in the policy area of special schools – although overall the fiscal effect of the NFA was negligible. With respect to the second dissertation, the increase in intercantonal compensations and the (positive) effects of the NFA on parliamentary reforms stand out – although the mere number of IGA has not increased because of the NFA.

Since similar future endeavours are frequently discussed, notably under the motto of an “NFA 2”, the scientific findings of this research project present an important basis not only for further research, but also for discussions among the practitioners and authorities responsible for such reforms.

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- Vatter, A. (2018). *Swiss Federalism. The Transformation of a Federal Model. Routledge Studies in Federalism and Decentralization*. London, New York: Routledge.

Project output (integrated list)

Dissertations

- Arens, A. (forthcoming). *Federal Reform and Intergovernmental Relations in Switzerland. An Analysis of Intercantonal Agreements and Parliamentary Scrutiny in the Wake of the NFA*. Dissertation. Bern: University of Bern, Institute of Political Science IPW.
- Arnold, T. (2019a). *Shifting vertical power relations. Four empirical studies on the fiscal effects of the Swiss federal reform 2008 and the Belgian federalisation 1993*. Dissertation submitted in November 2019 by Tobias Arnold and accepted by the Faculty of Business, Economics and Social Sciences of the University of Berne on February 2020.

Peer-reviewed journal articles (part of the cumulative dissertation)

- Arnold, T. (2019b). Reforming autonomy? The fiscal impact of the Swiss federal reform 2008. *Regional & Federal Studies*, advanced online: <https://doi.org/10.1080/13597566.2019.1630612>.
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Peer-reviewed articles (not part of the cumulative dissertation)

- Kaufmann, D., and T. Arnold (2018). Strategies of Cities in Globalised Interurban Competition: The Locational Policies Framework. *Urban Studies* 55(12): 1–18.

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- Vatter, A. (2018). *Swiss Federalism. The Transformation of a Federal Model*. *Routledge Studies in Federalism and Decentralization*. London, New York: Routledge.

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- Arnold, T., A. Arens, S. Mueller, and A. Vatter (2019). Schweizer Föderalismus im Wandel: die versteckten politischen Effekte der NFA. In *Jahrbuch des Föderalismus 2019*, edited by Europäisches Zentrum für Föderalismus-Forschung Tübingen (EZFF). Baden-Baden: Nomos, pp. 175–186.
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Working papers / Contributions to conferences

Arens, A. (2019). What Separates the Wheat from the Chaff: Federalism in Conceptual and Empirical Terms. Paper presented at the Workshop *State and Key Topics of Research on Federalism*, Institute of Political Science IPW (Chair of Swiss Politics), University of Bern, 11. June 2019.

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Blog posts

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Teaching

Arens, A. (2019). *The Swiss and German political system in a nationally and subnationally comparative perspective*. BA Proseminar (HS2019): University of Bern.

Arens, A., and T. Arnold (2017, 2018). *Swiss Cantons compared: Institutions, actors, and policies*. BA Seminar (HS2017, HS2018): University of Bern.

Arens, A., and T. Arnold (2017, 2018, 2019). *Federalism and Decentralization in Switzerland and in a comparative perspective*. BA Proseminar (FS2017, FS2018, FS2019): University of Bern.

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