

Policy Making Beyond Political Ideology: The Adoption of Smoking Bans in Europe

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Version: *20 April 2012*

Abstract

Policy making is embedded in politics, but an increasing number of issues, like obesity, tobacco control, or road safety, do not map well on the major dimensions of political conflict. This article analyzes the enactment of restrictions on smoking in bars and restaurants in 29 European countries – a conflictual issue which does not fit easily traditional party ideologies. Indeed, the comparative empirical analyses demonstrate that government ideological positions are not associated with the strictness *and* the timing of adoption of the smoking bans. On the other hand, economic factors like the scale of tobacco production in a country, smoking prevalence in society and public support for tough anti-smoking policy are all significantly related to the time it takes for a country to adopt smoking bans, and to the comprehensiveness and enforcement of these restrictions. In addition, horizontal policy diffusion is strongly implicated in the pattern of policy adoptions.

Introduction

Policy making is the *raison d'être* of politics. But much of policy making happens outside political ideology. Political conflict structured along broad ideological dimensions is not the only, and in many cases, not the most important context for understanding the making of public policies.

Traditionally, political science assumes that the policy output of democratic political systems can be understood as a product of the conflict and co-operation among political actors – conflict that can be captured by a small number of dimensions which link to party ideology firmly based in social cleavages. Political scientists then proceed to map and identify these ideological dimensions (Benoit and Laver, 2006; Klingermann et al., 2007; Gary Marks et al., 2006), and analyze the strategic interactions between the political actors, while paying close attention to the institutional context (e.g. Erikson et al., 2002; Krehbiel, 1998; Mayhew, 2005). When applied to economic or social policy¹, the strategy works (e.g. Crisp et al., 2011; Giannetti and Laver, 2005; McCarty et al., 1997). We are, however, faced by an increasing number of issues that do not map well on the general left-right and liberal-authoritarian ideological dimensions. For example, smoking, obesity, genetically modified organisms, internet privacy, and road safety are all issues that either do not provide strong ideological cues, or provide conflicting ones. The argument of this article is that in order to understand policy making about such issues, we need to look beyond political ideology and identify the determinants of policy making from a wider set of variables, including public opinion, policy learning and diffusion, and the fundamental socio-economic characteristics of different polities.

In order to shed light on the factors that matter when policymaking is free from the straightjacket of political ideology, I analyze the pattern of enactment of smoking bans in 29 European states since 2003. Focusing on the most controversial part of the policy – the restrictions on smoking in bars and restaurants, I seek to identify the determinants of cross-national variation in the timing of enactment and the comprehensiveness of the policy. Because the smoking ban relates to various issues like public health, hospitalization costs, individual liberty, worker's protection and equality, and the economic consequences for the tobacco and hospitality sectors

¹ For example, Allan and Scruggs (2004) argue that partisanship has an effect on welfare state retrenchment. Fiona Ross (2000) agrees that parties are relevant for welfare politics but argues that the effect of left and right is sometimes counterintuitive. For a meta-analysis of 43 studies mostly in the economy/social sectors see (Imbeau et al., 2001) – the study concludes that, overall, there is little to no evidence that left/right positions matter.

(see the contributions in Feldman and Bayer, 2004), it does not unambiguously fit the economic left-right and/or the liberal-authoritarian dimensions of party politics. As a result, the door is open to a host of domestic and external influences. Because anti-smoking policy is embedded in international and European Union (EU) context but there are no binding rules with regard to smoking in bars and restaurants, there is scope for a great deal of variation in the national policy responses to the dangers of passive smoking.

Existing literature on anti-smoking policy features case studies, which provide rich narratives but tend to focus on the causal mechanisms producing anti-smoking policy change (Albak et al., 2007; Cairney, 2009; Hooker and Chapman, 2006; Mele and Compagni, 2010), and large-n quantitative work, which sidelines and never properly tests for the possible influence of ideologically-motivated politics (Gallet and Catlin, 2009; Studlar, 2007b; Studlar and Christensen, 2009). The contributions of this article are that it *integrates* theoretically the impact of political ideology, domestic economic and societal factors, and policy diffusion in a single framework and tests the resulting model in a comparative analysis that goes beyond single case studies.

The empirical analysis presented here *does* find common patterns that generalize and extend the insights about individual countries provided in existing research on anti-smoking policy. Using event history (survival) models, I show that lower public support for the smoking bans, the extent of tobacco (but not cigarette!) production, and smoking prevalence in a country are all associated with more *time* before some form of restrictions on smoking in bars and restaurants are enacted. Also, there is evidence for the impact of policy diffusion since the likelihood of adoption rises over time (and with the number of previous adopters), but government political ideology along left-right, liberal-authoritarian, and pro-anti European integration dimensions plays no role. Finally, I show that tobacco production, smoking prevalence, and public support are significant predictors of *the strictness* of the enacted smoking bans as well, while political ideology continues to show no association. A complex mixture of domestic and international influences is revealed to shape the pattern of smoking ban enactments in Europe, but political ideology is not the cement that structures decision making for that particular policy.

The rest of the article is structured as follows. First, I discuss some of the political science literature on policy making and derive a set of hypotheses about the impact of political ideology, public opinion, socio-economic factors and policy diffusion on the enactment of smoking bans. After that I briefly introduce the

variables used in the analysis, their definitions and the data sources. The empirical analysis that follows is divided in two parts that look into the timing of enactment of the policy and into the strictness of the enacted policy. Finally, the conclusion summarizes the findings and draws the broader significance of the results.

Theory: explaining cross-national variation in policy output

Within political science, the study of democratic policy making is often reduced to the study of collective decision making among the set of powerful political actors – most often, these are the governing political parties, the executive, the legislature and the president, possibly the courts². There are good reasons for this move. If the contours of political conflict are relatively stable and follow predictably from the main cleavages in society, then understanding the strategic interactions between the major political actors within the institutional context that embeds them provides the key to understanding the outputs of the political process. As a result, scholars have focused on studying decision making within legislatures and cabinets (Krehbiel, 1998; Strøm et al., 2003), the relationships between the different branches (Mayhew, 2005; Tsebelis, 2002), and the impact of specific institutions that systematically affect policy outcomes (e.g. Krehbiel, 1992). When the nature of political conflict is stable and can be reduced to a small number of dimensions that is all we need to know in order to predict and make sense of the process of policy making. In fact, research has demonstrated that a single dimension, standing for socio-economic left-right, can account for the overwhelming share of variation in voting in the US legislature (McCarty et al., 1997; Poole, 2000), and is the most important aspect of political conflict in the European political systems as well (Benoit and Laver, 2006; Budge et al., 2001). In the case of Europe, the left-right has been complemented by a second dimension that opposes socially liberal, green and alternative views to authoritarian, traditionalist and nationalistic ones (Gary Marks et al., 2006). More recently, positions on European integration have emerged as a possible additional dimension of political contestation in Europe (Kriesi et al., 2008; Gary Marks et al., 2006).

² The neglect of public policy by mainstream political science has led to the emergence of a separate discipline of policy analysis (John, 1998, p.3). This literature has made important contributions highlighting the influence of bureaucracy, advocacy coalitions (Sabatier and Jenkins-Smith, 1999) and diffusion (Berry and Berry, 1990; Gray, 1973; Karch, 2007), and shedding light on the mechanisms of agenda setting (Baumgartner and Jones, 2009; Jones, 1994; Kingdon, 1997) and policy implementation. However, somewhere along the way, the potential influence of the (ideologically-motivated) preferences of the major political actors has been lost from the analytical focus of policy analysis. What the current article offers is an *integrated* perspective that considers the possible impact of political ideology alongside factors traditionally studied by policy analysts, like public opinion and diffusion.

Many important policy issues fit very well a political space built on one or two dimensions: taxes, social spending, economic regulation, state subsidies, immigration, etc. But an increasing number of problems facing contemporary society do not map neatly on the left-right and/or liberal-authoritarian dimensions. Issues like smoking, obesity, internet privacy, genetically modified organisms, and road safety are only some examples of relatively novel problems that are not absorbed into existing social cleavages and political structures. These are multi-dimensional issues that evoke numerous normative dilemmas and provide conflicting cues for position taking. At the same time, these issues are not salient enough as to give rise to a separate new dimension of political conflict.

We can try to disentangle the various threads that go into the social and political debate surrounding one such issue – the restrictions on smoking in public places, and bars and restaurants in particular. The development of these smoking bans has been a gradual process that started³ in the US state of California in the late 1990s (Centers for Disease Control and Prevention, 2005), swept throughout Europe in the first decade of the 21st century and is currently reaching countries like Brazil (2009), Turkey (2009), Syria (2010), and China (2011). The most obvious context for smoking policy is public health (Feldman and Bayer, 2004). Protection from dangerous foods, water, drugs and other environmental hazards has long been a part of the responsibilities of the modern state, and protection from tobacco smoke can be viewed as yet another link in a long chain of control and prohibitions. Given this context, the perceived paternalistic role of the state to enforce restrictions on what is considered bad for us should push social liberals in one corner and supporters of the strong regulatory state in the other corner in discourses on smoking control. More generally, smoking can be viewed as an issue of personal liberty, part of the private sphere where the state should have no legitimate right of intervention. From an ideological point of view, socially-liberal parties should oppose smoking bans while more traditionalist, paternalistic parties should support them. Note, however, that these ideological cues contradict the electoral pressures faced by the parties – smoking is more prevalent in the less-educated and poorer classes (Huisman et al., 2005) – not exactly the electorate of socially-liberal parties in Europe. Nevertheless, based on ideological congruence, we can hypothesize that:

³ The first state to adopt smoking restrictions in public (but not including restaurants and bars) has been Arizona (1973).

H1: More socially-liberal parties are less likely to enact comprehensive bans on smoking in public places.

In addition to the public health and personal liberty dimensions, the smoking ban has important direct and indirect economic implications. First of all, the tobacco-growing and cigarette-producing industries are likely to be negatively affected by restrictions on smoking in public places, to the extent that the restrictions reduce smoking levels in society (for the effects of the policy see Hopkins et al., 2010; Ong and Glantz, 2004). It is also possible that the hospitality industry (restaurants, pubs, bars and other such establishments) might suffer, although the evidence for the economic impact of smoking restrictions on this sector is contradictory (Collins et al., 2010; Dunham and Marlow, 2000; Edwards et al., 2008; Klein et al., 2010; Lal and Siahpush, 2009; Luk et al., 2006) (for a review see Hahn, 2010). Since economically-right parties are generally considered pro-business, we might expect that they will oppose smoking bans more readily. On the other hand, however, smoking is a major source of hospitalizations and treatment of the various diseases induced by smoking contributes to the rising health care costs (for a recent study see Hauri et al., 2011)⁴. Furthermore, tobacco growing is still a heavily-subsidized industry - a fact that does not sit well with right economic ideology. But, all things considered, we can settle for the following hypothesis:

H2: More economically-right parties are less likely to enact comprehensive bans on smoking in public places.

An additional dimension of the passive smoking issue reinforces this expectation. The latest wave of bans on smoking in public places has been framed in many countries in terms of protection of workers and safer working places (Larsen, 2010). Environmental smoke is dangerous and the expansion of the smoking ban to bars and restaurants has been based on the predicament that the people who work there have the right to a safe working place as well. Social democratic and economically leftist parties are more likely to champion tougher standards of workers' protection. On the other hand, electoral concerns again clash with these ideological cues: workers

⁴ Still, a cynic might object that since smokers die younger they altogether save the health care system money for treatment of expensive old age-related health problems.

provide an important electorate for the leftist parties but they are also the ones more likely to smoke.

The final general dimension of party political contestation that might be related to the smoking bans is European integration. The EU has a relatively comprehensive tobacco policy⁵ but with regard to restrictions on smoking in public places it has only issued a recommendation that is not legally binding (see below). Governments that are more supportive of the EU could take more seriously the recommendations coming from the EU, even though they are only soft (non-binding) law.

H3: More anti-EU parties are less likely to enact comprehensive bans on smoking in public places.

Altogether, political ideology provides only weak and often conflicting signals about what positions should parties take on the smoking ban. Furthermore, the case study literature on smoking policy has noted that partisan politics seems to play no role⁶. I would argue that when the major dimensions of political ideology are unlikely to provide a sound structure of the political process, the door is open to a wider set of factors to exert influence on policy making. The prime suspect amongst these factors is public opinion – the attitudes and predispositions prevalent in society. Of course, public opinion influences the shape of all policies, but in the case of the traditional domains of activities of the modern democratic state – economic regulation and redistribution, security and immigration, the congruence between public opinion and party positions is likely to be stronger (Erikson et al., 2002; Soroka and Wlezien, 2010; Stimson et al., 1995; Wlezien, 2004). Also, for the really salient issues the political elites and the public engage in a complex reciprocal relationship of exchanging leads and influencing each other. Political representation is not perfect but elections and democratic accountability ensure that there is a reasonable degree of fit between what the public wants and what the parties enact as policy (Erikson et al., 2002; Soroka and Wlezien, 2010).

⁵ For the development of tobacco policy in the EU see (Princen, 2009; Princen and Rhinard, 2006).

⁶ The conclusion however is reached on the basis of case studies of the US, Canada (Studlar, 2002), Australia and New Zealand (Studlar, 2005). To date, there is no analysis that tests systematically for the impact of party ideological positions and there is no convincing account *why* political ideology should or should not matter for tobacco control policy outcomes.

But for salient, traditional issues the policy responsiveness is constrained by political ideology. On the other hand, for issues for which it is open to interpretation how they map onto ideological space, parties and governments are actually *freer* to follow the ebbs and flows of public opinion. In other words, when ideological cues are weak and contradictory, it is easier for governments and parties to be opportunistic and dance to the tune played by the public.

The influence of public opinion on policy making and policy responsiveness has received a lot of attention in the political science and public policy literatures (Burnstein, 2003; Erikson et al., 2002; Shapiro and Page, 1983; Soroka and Wlezien, 2010; Stimson et al., 1995). With regard to tobacco policy, however, the influence of public opinion remains under-researched⁷ (for an exception coming from the public health literature see Martinez-Sanchez et al., 2010). Studlar (2002) suggests that tobacco policy making happens in a “permissive consensus” on the side of the public which would lead us to expect that *levels* of public support do not have a direct link with policy. Later the same author seems to suggest that public opinion matters (Studlar, 2007b) but then conflates that with the influence of political cultures⁸.

At the same time, as tobacco restrictions are an example of a ‘difficult’ issue for the traditional ideological space, investigating the effects of party ideology *and* public opinion in the empirical context of the smoking bans can bring important insights about how the two interact when ideological position cues are weak and contradictory. Furthermore, most of the literature on policy responsiveness adopts a longitudinal approach (Erikson et al., 2002) while comparative cross-national studies of the impact of public opinion are still rare. There are at least three mechanisms through which differences in public opinion across states can influence domestic policy outcomes: First, although it is unlikely that party positions on an issue like tobacco control will determine for which party people vote, the threat of electoral punishment for enacting unpopular policies is still present. Second, and perhaps more importantly, evidence that the public is on your side serves as a strategic resource for interest groups and policy entrepreneurs who try to persuade politicians to adopt or not restrictions on smoking. Third, higher public support for a smoking ban adds legitimacy for the policy and makes the enforcement of the restrictions feasible, and as a consequence it makes the adoption of a ban more likely in the first place.

⁷ The causes of attitudes towards tobacco policy have received more attention – see (Lazuras et al., 2009; Pacheko, forthcoming; N. Ross and Taylor, 1998; Thomson et al., 2009)

⁸ The public opinion/political culture argument is operationalized in Studlar (2007b) by the percentage of Catholics/Orthodox in the population. Such an indicator of *political* culture is indirect at best.

H4: Lower public support for restrictions on smoking in public places makes enacting a comprehensive smoking ban in public places less likely.

A related factor that might influence the timing of adoption and the shape of anti-smoking policies is smoking prevalence in society. The share of people who smoke in a country is a fundamental constraint on the feasibility of rigid anti-smoking regulations (Fong et al., 2006; King et al., 2011; Martinez-Sanchez et al., 2010). It is not a coincidence that the current wave of smoking restrictions follows a strong long-term trend of declining smoking prevalence in the US and Western Europe. Based on the dataset used in the current analysis (for evidence for the link at the individual level see Schumann et al., 2006), at the aggregate state level public support for smoking bans and smoking prevalence are not very strongly correlated (but within a country they might be - for Greece see Lazuras et al., 2009), so we need to control separately for this structural characteristic of the different European societies:

H5: Higher smoking prevalence makes enacting a comprehensive smoking ban in public places less likely.

Politicians and policy makers need not be equally sensitive to the demands of the various groups in society. The system of interest representation makes some groups more successful in voicing their policy preferences and influencing public policy. Tobacco policy is a domain where not only lobbyists for the interest of the tobacco, cigarette and hospitality industries are very active, but also a number of anti-smoking, cancer prevention and consumer protection organizations try to mobilize support and affect government policy (Cooper and Kurzer, 2003; Hastings and Angus, 2004). In the absence of strong ideological cues, political parties are likely to be more open to influence by lobbyists because the smoking ban is an issue they do not care strongly about and do not have a clear ideologically-motivated policy preference on (for a study demonstrating the effects of tobacco lobbying on members of the US Congress see Moore et al., 1994). Unfortunately, there are no reliable cross-country indicators of the varying strength of the tobacco and the anti-smoking lobbies in Europe, so we cannot test directly the impact of interest groups despite strong theoretical reasons to

suspect that lobbying matters⁹. An indirect approach is to try to proxy for the strength of the tobacco lobbies by looking at the economic importance of the tobacco-growing and cigarette-production sectors in a country¹⁰.

The impact of the two sectors relies on slightly different mechanisms, however. Tobacco-growing engages more people, it is likely to be subsidized, and is often practiced in poor regions where more lucrative crops cannot be grown (van Liemt, 2002). So tobacco growing engenders a powerful constituency which is heavily dependent on this crop. To the extent that smoking bans reduce domestic demand for tobacco and cigarettes, and to the extent that the local tobacco production relies on the domestic market, restrictions on smoking in any form are less likely to be adopted in countries which grow substantial quantities of tobacco. The link might be exercised through lobbying but it need not be – the electoral importance of tobacco-growers can put direct pressure on politicians:

H6: Countries that produce more tobacco are less likely to enact comprehensive bans on smoking in public places.

Cigarette production in a country is also likely to be relevant when accounting for tobacco policy decisions but the mechanisms are different. The production of cigarettes and related tobacco products employs less people than tobacco-growing but generates more value-added which is concentrated in the producers which in most European countries are part of a handful of international conglomerates like Philip Morris and British American Tobacco (Hastings and Angus, 2004). Hence, the influence of the cigarette production industry is more likely to be exercised through lobbying rather than electoral pressures. As such, the scale of cigarette production in a country is perhaps a better proxy for the strength of tobacco interest representation. It should be noted, however, that much of the production of European cigarette factories is intended for export, so policy measures like restrictions on smoking in public places in the EU states are surely unpleasant for the producers, but do not affect their export markets as such.

⁹ Studlar (2007b) uses the general corporatism/pluralism scales developed by Siaroff and Lijphart to capture variation in the influence of tobacco interest groups across countries but the *type* of interest representation system has very little to do with the strength of a particular lobby coalition in a country.

¹⁰ The influence of economic fundamentals on public policy has been suggested as far back as 1963 by Dawson and Robinson (1963).

H7: Countries that produce more cigarettes are less likely to enact comprehensive bans on smoking in public places.

National policy making on tobacco is embedded in transnational structures which makes policy diffusion possible, if not highly probable (the literature on policy diffusion is huge – some recent work includes (Karch, 2007), and in the context of tobacco policy (Cairney, 2009; Martin, 2009; Shipan and Volden, 2006; Studlar, 2007b). The mere fact that the smoking ban spread rapidly across Europe in the course of a few years since 2003 already implicates policy learning and diffusion, but the same outcome could have been produced by countries acting independently in response to a rapidly changing external environment. Tobacco policy has both a global and a European aspect. The World Health Organization (WHO) is a champion of anti-tobacco policy and adopted in 2003 an influential Framework Convention on Tobacco Control (FCTC). (World Health Organization, 2003). FCTC is an international treaty and has numerous provisions addressing price and tax measures, protection from exposure to tobacco smoke, regulation of the content of tobacco products, advertising, packaging, illicit trade in tobacco products, sales to minors, etc. The tobacco policy of the EU is more limited and comprises of several components covering cross-border advertising and promotion, pictorial warnings, and labeling of tobacco products. With respect to the issue of smoking in bars and restaurants, however, the EU has only issued a recommendation (Council of the European Union, 2009) – a soft-law type of act that does not create binding commitment for the member states. Hence, if we find evidence for diffusion, it is not going to be vertical (hierarchical, authority-based), but horizontal (voluntary) transfer.

Horizontal policy diffusion can be based on several mechanisms (Marsh and Sharman, 2009; Shipan and Volden, 2008). Although the WHO and the EU do not have binding rules on smoking in public, they provide settings for policy learning where policy experts can exchange policy ideas, learn political strategies and share their experiences with domestic policies (Fuglister, 2011; Radaelli, 2009). Regular contacts between policy makers at these international fora makes the rapid transfer of policies (in name, if not in substance) possible¹¹. The internationalization of lobbying

¹¹ Positive and negative economic externalities (Shipan and Volden, 2008) are another mechanism through which horizontal diffusion can spread. In the case of smoking bans in bars and restaurants, however, economic externalities are likely to be of little relevance at the cross-national level. People might travel a short distance across the border to enjoy a puff in a bar, but are unlikely to regularly fly long distances to indulge in indoor smoking.

(both pro- and anti-tobacco) is another channel through which policy learning can take place – although in Europe it seems that the pro-tobacco lobby is much better organized at the European level than the anti-smoking campaigners. Pacheco identifies another mechanism for the diffusion of anti-tobacco policies – social contagion, or the influence on public opinion of policies enacted in neighboring states (Pacheco, forthcoming).

Most indirectly, once a policy becomes popular in the region, it creates a certain feeling of ‘we have to do something about it’ in the states that have not reacted to the issue yet¹². Such an emerging ‘standard of appropriateness’ can bring an issue to the social and political agendas, but will be less effective in shaping the actual content of the policy, and even less so when the time comes for enforcement of the regulations.

H8: Horizontal policy diffusion based on policy learning increases the likelihood of enactment of a comprehensive ban on smoking in public places.

The set of eight hypotheses presented in this section of the article brings together several approaches to the study of policy making¹³. Policy making is inevitably embedded in politics, so we need to look into the impact of ideological party positions, even if the ideological cues provided by the issue are weak and contradictory. Looking beyond party ideology, public opinion looms as a major potential determinant of policy making, together with structural societal and economic characteristics, and the power of interest groups. Last but not least, the multi-level institutional setting of tobacco policy provides opportunities for horizontal policy diffusion which complements and modifies the impact of domestic variables¹⁴.

Variables, operationalization and measurement

The empirical setting of the present study is anti-smoking policy. Within this policy, I zoom-in in particular on the issue of restricting smoking in bars and restaurants. The

¹² The effect of horizontal ideational diffusion might be difficult to pin down if it works through changing domestic public opinion (Pacheco, forthcoming).

¹³ Several additional important factors have been suggested by case study research on tobacco policy. The impact of institutions, and more specifically of the territorial distribution of competences in a state is one (Asare et al., 2009; Cairney, 2009; Studlar, 2005, 2007a). Another is the impact of policy entrepreneurs (Feldman and Bayer, 2004; Mele and Compagni, 2010). The limited variation within Europe regarding the former, and lack of comparative information regarding the latter factor prevent their inclusion in the empirical analysis that follows.

¹⁴ The integrated theoretical perspective presented in this article resembles to some extent the policy systems model advocated by Hofferbert (1990).

more general questions of restricting smoking in public buildings or the workplace generates less disagreement. When the restrictions reach the doors of restaurants, and especially bars, the policy becomes more controversial and tends to polarize opinion. Two aspects of the smoking restrictions in bars and restaurants are studied in the article: the timing of enactment of the policy in the different European states, and the strictness of the ban. Table 1 gives an overview of the distribution of the 29 countries along these two policy dimensions.

The table covers 29 European states – the 27 member states of the EU, Switzerland and Norway. The second column gives the month and the year of the *enactment* of some form of restrictions on smoking in bars and restaurants in the country.

Table 1. Timing of enactment and the strictness of bans on smoking in bars and restaurants in 29 European states

Country	Time of enactment	Strictness	Country	Time of enactment	Strictness
Austria	January 2009	2 (partial)	Lithuania	January 2007	2 (partial)
Belgium	January 2007	2 (partial)	Luxembourg	September 2006	2 (partial)
Bulgaria	January 2011	1 (lax)	Malta	April 2005	3 (full)
Cyprus	January 2010	3 (full)	Netherlands	July 2008	2 (partial)
Czech Rep.	NA	1 (non-existent)	Norway	June 2004	3 (full)
Denmark	August 2007	2 (partial)	Poland	November 2010	2 (partial)
Estonia	June 2007	2 (partial)	Portugal	January 2008	1 (lax)
Finland	June 2007	3 (full)	Romania	January 2009	1 (lax)
France	January 2008	2 (partial)	Slovakia	September 2009	1 (lax)
Germany	January 2008	2 (partial)	Slovenia	August 2007	2 (partial)
Greece	September 2010	1 (lax)	Spain	January 2011	2 (partial)
Hungary	January 2012	1 (lax)	Sweden	June 2005	3 (full)
Ireland	March 2004	3 (full)	Switzerland	May 2010	2 (partial)
Italy	January 2005	3 (full)	UK	March 2006	3 (full)
Latvia	June 2006	3 (full)			

Note that this is not the date of *adoption* of the policy but the date in which the policy takes effect. At the time of observation [in January 2012], only the Czech Republic had not enacted any form of restrictions. The third column of Table 1 classifies the countries into three categories of increasing order of strictness of the ban. The category takes into account both the comprehensiveness of the ban itself (how many and how important exceptions there are in the legislation) and its enforcement¹⁵.

Thus, the countries in category ‘1’ have no restrictions adopted (the Czech Republic), or the exceptions and exemptions are so numerous and vaguely defined to render the law obsolete, or the enforcement of the ban is close to null. Category ‘2’ countries have enacted partial smoking restrictions that either contain important loopholes in the formal text of the laws (like exemptions for certain type of establishments), or the practical enforcement of the restrictions is less comprehensive. Category ‘3’ groups the countries that have a ban that allows for only minor exceptions and is strictly enforced.

The adoption/enactment date and the strictness of the ban are the two aspects of the smoking bans that provide the outcome variables for the empirical analyses presented in the next section. Table 2 provides an overview of the operationalization, sources, and the most important descriptive statics for the independent variables used. Party ideological positions along three dimensions are based on expert survey data as retrieved by the database infrastructure provided by Döring and Manow (2010). The ideological dimensions of party positions are based on the expert surveys conducted by Benoit and Laver (2006) and Hooghe et al. (2010) – the average of the two is taken in order to maximize the number of parties covered¹⁶. Public opinion is measured using the Eurobarometer surveys¹⁷ from 2006, 2007 and 2009. The smoking prevalence indicator used in the analysis is based on the number of cigarettes smoked per capita, but alternative operationalizations are also employed. The scale of tobacco

¹⁵ The main source for the data is the overview provided by the European Commission (2011), complemented by existing case studies, newspaper articles and other sources where available.

¹⁶ Note that we are not interested in the effect of the *specific party positions* on the smoking bans, but the effect of ideological party positions. In any case, the expert surveys used in this article do not provide specific tobacco policy positions.

¹⁷ Ideally, we should test the impact of public opinion using data that precedes the adoption of the policies and that tracks the changes in opinion over time. Unfortunately, such data does not exist for the EU. From the available comparative surveys, we selected the earliest one, conducted in late 2005 and published in January 2006 by Eurobarometer (2006). We cannot exclude that public support for the smoking bans has actually been *affected* as a result of the enactment of the bans in the countries that had adopted restrictions, rather than being the *cause* for the bans (Fong et al., 2006; Hyland et al., 2009). Nevertheless, by the time the survey was conducted only three countries had more than six months experience with smoking restrictions in bars and restaurants, so the endogeneity bias, even if present, is likely to be small.

and cigarette production is taken from the WHO Tobacco Factsheets (World Health Organization). Because of the highly-skewed distribution of the variables, the log of the raw numbers is used in the actual analysis. The influence of policy diffusion is examined by reference to the passage of time and the related number of previous adopters of the policy¹⁸.

Table 2. Definition, sources, and descriptive statistics of the independent variables.

Variable	Definition	Source	min max	mean (st dev)
Left/Right	weighted cabinet position on the left/right dimension	Calculated from www.parlgov.org (based on expert surveys)	3.37 7.40	5.43 (1.33)
Libertarian/ Authoritarian	weighted cabinet position on libertarian/ authoritarian dimension	Calculated from www.parlgov.org (based on expert surveys)	3.32 8.15	5.74 (1.18)
EU support	weighted cabinet position on European integration	Calculated from www.parlgov.org (based on expert surveys)	5.51 9.82	8.32 (1.12)
Public support	% of respondents who are <i>totally</i> or <i>somewhat</i> in favor of smoking bans in bars and restaurants	Eurobarometer. <i>Attitudes of Europeans towards tobacco</i> , January 2006. (fieldwork September 2005 - December 2005) and May 2007 (fieldwork October-November 2006); <i>Survey on Tobacco</i> March 2009 (fieldwork December 2008)	35 93	62 (14)
Smoking prevalence	number of cigarettes consumed per capita in 2007	The Tobacco Atlas Online	493 3 017	1 550 (601)
Tobacco production	metric tons produced in 2000	WHO Tobacco Factsheets	0 136 600	14 270 (33624)
Log (Tobacco production)	-	-	0 11.82	4.55 (4.48)
Cigarettes production	sticks in millions produced in 2000	WHO Tobacco Factsheets	1115 206 800	35 120 (45 921)
Log (cigarettes production)	-	-	7.02 12.24	9.62 (1.23)
Policy diffusion	Time / number of previous adopters of the policy	own data	0 28	-

¹⁸ Studlar (2007b) argues that a reference to Country Families (English-speaking, Nordic, Continental and Southern) is a way to capture the influence of diffusion but the mechanism that links these purported 'families' and tobacco policy is unclear.

The patterns of smoking bans in Europe: Empirical investigations in two parts

This section of the article presents the results of the empirical analyses of the speed of enactment and the strictness of restrictions on smoking in bars and restaurants in Europe (for the sake of brevity, I would refer to these restrictions as ‘smoking bans’). The analysis proceeds in two steps. First, I present a set of event history (survival) models of the time-till-enforcement of smoking bans in 29 European states. These models show convincingly that smoking prevalence, tobacco production, public opinion and diffusion matter for the timing of smoking bans introduction but provide no evidence for the impact of government political ideology. Second, I report the results from ordered multinomial models of the strictness of anti-tobacco restrictions. The results complement well the findings from the duration analysis: public opinion and economic factors are associated with the level of protection standards while political ideology appears irrelevant.

A: Event history analysis of duration until a smoking ban is enacted

The first set of models I present focus on the time until any form of restrictions on smoking in bars and restaurants are enacted in a country. I set the beginning of 2003 – the year in which the Framework Convention on Tobacco Control was adopted by the World Health Organization – as a reference point for the period of observation. At the time of conducting the analysis at the end of 2011, only one country- the Czech Republic – had not adopted any form of restrictions, so this observation is censored.

I use survival (event history) analysis in order to investigate the relationships of the timing of the tobacco bans with public opinion, the economic importance of tobacco and cigarette production for a country, smoking prevalence in society, and party preferences. Survival analysis is appropriate for working with duration data and can handle censored observations. The results reported here are based on the semi-parametric Cox proportional hazards models with time-varying covariates. In the online appendix to the article, I also report the results from Weibull parametric survival analysis (with and without time-varying covariates). The Weibull distribution contains a parameter that can accommodate a monotonically changing baseline hazard and a test on this parameter indicates whether the hazard of enactment is constant, decreases or increases over time (for an application in research on policy diffusion see Berry and Berry, 1990). In the Cox models, the baseline hazard $h_0(t)$ is unspecified, and the hazard rate for unit i is given by:

$$h_i(t) = h_0(t) \exp(\beta' \mathbf{x})$$

Table 3 presents the results of the estimations¹⁹. The coefficients in the table refer to the hazard of policy enactment; therefore, a negative sign implies a lower hazard and longer duration until the event occurs. Five individual models are presented. Model A.1 is the baseline; Model A.2 includes an indicator of national cigarettes production instead of an indicator of tobacco growing. Models A.3 to A.5 include measures of government political ideology along three dimensions – socio-economic left/right, liberal/authoritarian, and support for European integration²⁰.

Table 3. Cox proportional hazard models with time-varying covariates of time until restrictions on smoking in bars and restaurants enacted in each EU country

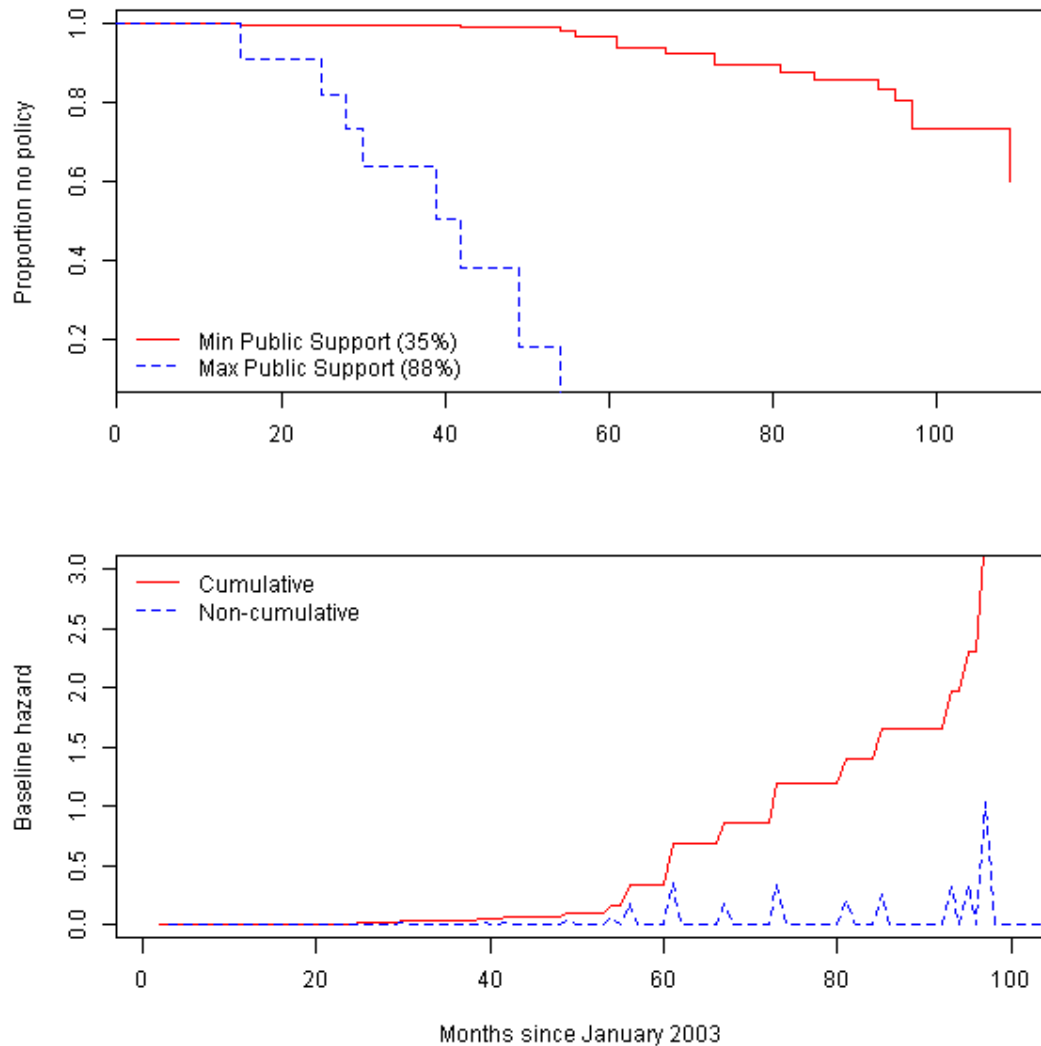
	Model A.1	Model A.2	Model A.3	Model A.4	Model A.5
Log of tobacco leafs produced	-0.16 (0.06) <i>p=0.01</i>	-	-0.15 (0.06) <i>p=0.01</i>	-0.17 (0.07) <i>p=0.01</i>	-0.23 (0.09) <i>p=0.01</i>
Log of cigarettes produced	-	-0.14 (0.21) <i>p=0.49</i>	-	-	-
Public support for ban in bars (2005)	0.10 (0.03) <i>p<0.01</i>	0.08 (0.03) <i>p=0.01</i>	0.11 (0.03) <i>p<0.01</i>	0.10 (0.03) <i>p<0.01</i>	0.09 (0.03) <i>p<0.01</i>
Thousand of cigarettes per capita	-0.88 (0.47) <i>p=0.06</i>	-1.05 (0.47) <i>P=0.03</i>	-0.97 (0.49) <i>p=0.05</i>	-0.64 (0.47) <i>p=0.18</i>	-0.69 (0.49) <i>p=0.16</i>
Left/Right cabinet position	-	-	0.26 (0.21) <i>p=0.21</i>	-	-
Social Liberalism cabinet position	-	-	-	0.14 (0.16) <i>p=0.40</i>	-
EU support cabinet position	-	-	-	-	0.29 (0.22) <i>p=0.20</i>
Log-likelihood model	-47.9 n= 1633 events=26	-51.3 n= 1633 events=26	-39.7 n= 1490 events=23	-37.7 n= 1437 events=22	-39.5 n= 1490 events=23

Note: Unstandardized coefficients; standard errors in parenthesis. Dependent variable: hazard of policy enactment in a month.

¹⁹ The models have been estimated with the *coxph* function from the *survival* package for R 2.8.0.

²⁰ None of the models exhibit violations of the proportionality assumption according to the conducted tests.

Figure 1. Illustrating Model A.1: Predicted proportions for different values of public support and baseline hazard



Looking first at Model A.1, we can confirm that tobacco production in a country significantly decrease the hazard of policy enactment and increases the duration until a smoking ban in bars and restaurants comes into force²¹. One standard deviation increase in the log of tobacco production leads to a 50% reduction in the monthly hazard of enactment.

Tobacco production matters, but the effect of *cigarette* production in a country seems to have no effect on the hazard of policy enactment. The estimated coefficient is negative (Model A.2) but the standard deviation is large and even allowing for the small number of cases, it is unlikely that the impact of cigarette production on the

²¹ An alternative indicator of the importance of tobacco and smoking for a country – the percentage of cigarette tax from total government tax revenue (provided in the report of the ASPECT Consortium, 2004 and based on World Bank estimates for 1999) – did not reach statistical significance when included in the model despite the moderate (0.45) positive bivariate correlation with duration.

timing of enactment of restrictions on smoking is significant, both statistically and substantively.

Reassuringly, public support for banning smoking in bars and restaurants increases the hazard of enactment and is negatively associated with the time until such restrictions are enacted in the sample of countries included in the analysis. A 14-points decrease in the percentage of public support (one standard deviation) leads to a threefold decrease in the hazard of policy enactment, according to Model A.1 – a substantial effect of practical significance. Figure 1 (upper panel) plots the expected proportion of countries remaining without legislation as time goes by, for different values of public support (set at the observed minimum and maximum of the variable). Three years after the start period, approximately 40% of the countries are expected to have enacted smoking restrictions if public support is at its highest, but only a negligible proportion if public support is at its lowest. Eight years after the start period, all countries would have been expected to have the laws enacted if public support is high, but less than 25% if support is low.

The prevalence of smoking in society is also significantly related to the timing of smoking bans. The effect is significant in Models A.2 and A.3 and the p-value is just below the 0.05 mark in Model A.1. A standard deviation increase in the number of cigarettes smoked per capita²² results in a 40% decrease in the monthly hazard of policy enactment. It should be noted that the effect of smoking prevalence comes in addition to the effect of public opinion since both coefficients are significant when included simultaneously in the model.

There is strong evidence for an increasing hazard of enactment of smoking bans over time that we can interpret as an effect of policy diffusion. The bottom panel of Figure 1 plots the baseline hazard (Model A.1) over time. Both the cumulative and the non-cumulative hazards are shown. We can see that the baseline hazard tends to increase over time, net of the effects of the covariates included in the model. The changes in the baseline hazard are not smooth because the hazard is non-parametric, but the general tendency is for the baseline hazard to ‘jump’ as time goes by. It is hard to imagine other reasons than diffusion that can explain the changing baseline hazard.²³

²² The results are robust to the use of alternative indicators of smoking prevalence like total cigarette consumption and percentage smokers in society.

²³ Another way to test whether the baseline hazard is constant or changes (monotonically) over time is to use a parametric Weibull survival model. In the online appendix, I report the results of these models. In all of them, the shape and scale parameters suggest an increasing baseline hazard of policy enactment over time (with a high degree of statistical significance).

There is no evidence, however, for any influence of government political ideology. In models A.3 to A.5 three different dimensions of political ideology are included in the equation, but none shows any connection to the timing of smoking bans. More leftist, authoritarian, and pro-European governments are not associated with shorter duration times until a ban is enacted. Even when we run the models only with the indicators of political ideology as predictors, none of them reaches even modest levels of statistical significance. The ideological predispositions of the government along the three main dimensions of political ideology seem to be irrelevant for the timing of enactment of smoking bans²⁴.

B. Ordered logistic regression of smoking ban strictness

As explained in the previous section of the article, I categorize the various national restrictions on smoking in bars and restaurants in three categories of increasing order of strictness based on how rigid the laws are and how comprehensive enforcement is. Thus, we are dealing with an ordered categorical variable and we can employ proportional odds logistic regressions to analyze the data²⁵.

Table 4 presents the results of the models. Positive coefficients mean that the variable increases the chance of a country adopting stricter rules – public support for forbidding smoking in bars is significantly associated with higher probability that a country will enact and enforce more rigid regulations. On the other hand, tobacco production and smoking prevalence decrease this probability (the latter effect is not consistently significant but the size of the effect seems robust to the different model specifications). As in the duration models, cigarette production (model B.2) has no significant effect. Figure 2 illustrates the scale of the effects (according to Model B.1) for tobacco production and public support: it presents the predicted probabilities of being into each category for different values on the two main independent variables²⁶.

²⁴ All models have been replicated with the date of adoption rather than the date of enactment of the laws. All inferences remain the same. The coefficient for public support is slightly smaller but still statistically significant. EU support and Liberalism have p-values close to 0.10 which, given the uncertain expectations about the effects, cannot be considered as evidence in favor of the hypotheses of association. In addition, we included *regionalism* - the degree of regional decentralization in a country (see Gary Marks et al., 2008) - in the models. The variable turned out to have a significantly positive association with the hazards of adoption or enactment, but the effects of the remaining variables were not affected.

²⁵ The models are estimated with the MASS and Zelig libraries in R 2.8.0.

²⁶ Since the current analysis looks at a rather specific aspect of tobacco policy – restrictions on smoking in bars and restaurants, it is a reasonable question to ask whether the findings generalize to tobacco control policy more generally. Joosens and Raw (2006) have developed a scale (ranging from 0 to 100) of the strictness of tobacco policy that takes into account prices, smoking and advertising restrictions, health warnings, treatment and public campaign spending. Using this tobacco control scale as a dependent variable in a linear regression model, it turns out that public support and smoking prevalence

Is there any effect of government ideology on the strictness of the regulations? The data does not provide any evidence that left/right, liberalism/traditionalism and European integration positions are related to the type of anti-smoking policy enacted. As for the diffusion hypothesis - in this part of the analysis, we are not able to test it²⁷.

Table 6. Proportional odds logistic regression of tobacco ban strictness

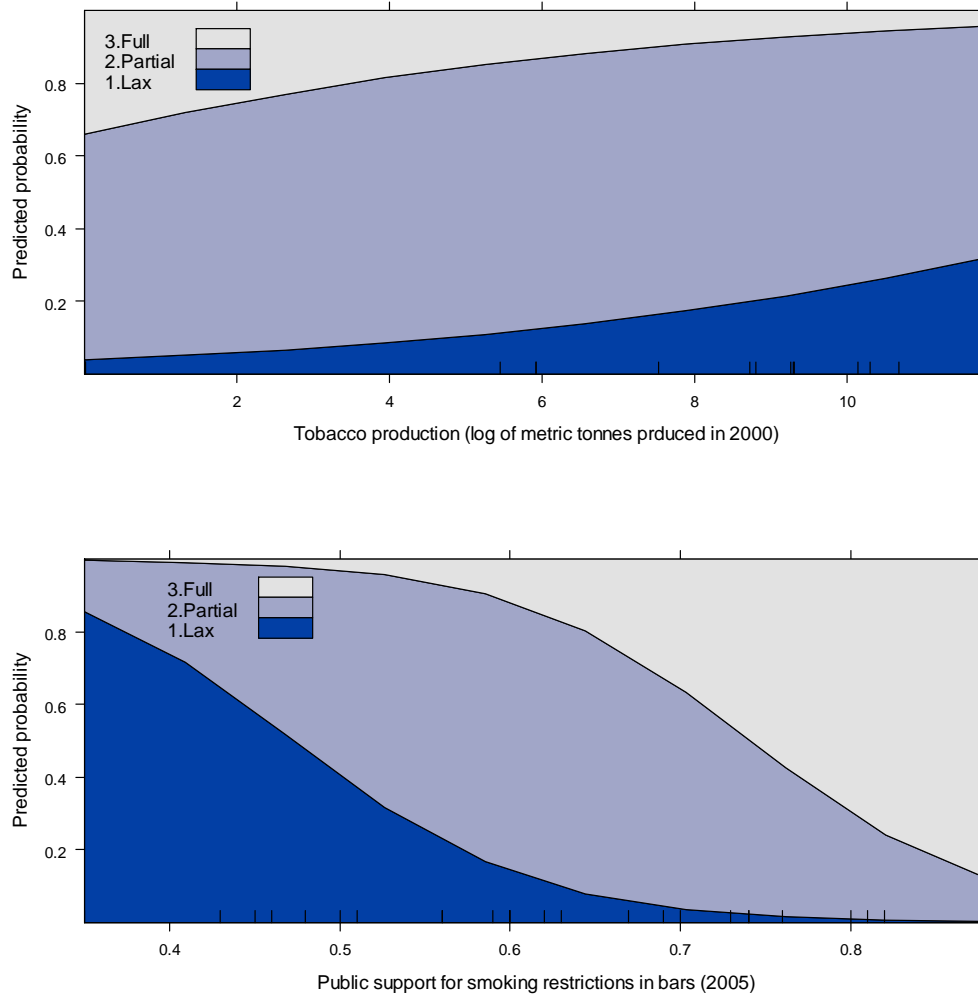
	Model B.1	Model B.2	Model B.3	Model B.4	Model B.5
Intercept 1 2	3.47 (1.32) <i>p</i> =0.02	5.48 (0.02) <i>p</i> <0.01	4.15 (1.91) <i>p</i> =0.04	2.60 (0.03) <i>p</i> <0.01	3.95 (0.02) <i>p</i> <0.01
Intercept 2 3	7.32 (1.12) <i>p</i> <0.01	8.75 (0.73) <i>p</i> <0.01	8.76 (2.02) <i>p</i> <0.01	6.90 (1.11) <i>p</i> <0.01	8.32 (0.97) <i>p</i> <0.01
Log of tobacco leafs produced	-0.21 (0.11) <i>p</i> =0.08	-	-0.25 (0.13) <i>p</i> =0.07	-0.28 (0.13) <i>p</i> =0.05	-0.23 (0.12) <i>p</i> =0.07
Log of cigarettes produced	-	0.12 (0.13) <i>p</i> =0.37	-	-	-
Public support for ban in bars	14.34 (0.68) <i>p</i> <0.01	14.75 (0.01) <i>p</i> <0.01	12.70 (0.99) <i>p</i> <0.01	15.55 (0.01) <i>p</i> <0.01	14.35 (0.01) <i>p</i> <0.01
Thousand of cigarettes per capita	-1.47 (0.91) <i>p</i> =0.12	-1.89 (0.75) <i>p</i> =0.02	-1.72 (1.02) <i>p</i> =0.11	-1.40 (0.85) <i>p</i> =0.12	-1.67 (1.05) <i>p</i> =0.13
Left/Right cabinet position	-	-	0.46 (0.46) <i>p</i> =0.32	-	-
Liberalism cabinet position	-	-	-	-0.20 (0.22) <i>p</i> =0.46	-
EU support cabinet position	-	-	-	-	0.11 (0.20) <i>p</i> =0.56
Akaike Information Criterion	42.96 N=26	46.43 N=26	39.98 N=23	38.71 N=22	29.06 N=23

Note: Unstandardized coefficients; standard errors in parenthesis. Dependent variable: Policy strictness [1 – lax or non-existent; 2 – partial; 3- full].

are significantly associated with the strictness of tobacco policy. The estimated effects of the economic indicators are in the expected direction but do not reach statistical significance. The hypotheses about party ideology influence cannot be tested since there is no single government that can be held 'responsible' for the point estimate of tobacco control strictness in a country.

²⁷ Regionalism (see Gary Marks et al., 2008) turns out to be robustly and significantly positively associated with the strictness of the policies – more regionalized countries tend to enact stricter and more comprehensive smoking bans. This finding generalized insights from the existing quantitative and qualitative literatures.

Figure 2. Predicted probabilities of the strictness of smoking bans for varying values of tobacco production and public support



Discussion and conclusions

This article presented a comparative analysis of policy making about a novel issue that does not easily map on the major political ideological dimensions. It argued that the patterns of adoption, enactment and enforcement of restrictions on smoking in bars and restaurants in 29 European states are related to economic and social fundamentals, but not to the ideological positions of governments.

I find that the scale of tobacco production in a country prolongs the time until a smoking ban is enacted, and decreases the probably that the ban will be comprehensive and rigidly enforced. Interestingly, a closely related indicator of the economic importance of the tobacco sector – cigarettes production – does not seem to have an effect. This lack of influence is especially puzzling as we can expect that the

strength of the tobacco lobby – a factor that is hugely influential in anti-smoking policy in general – is greater in states that manufacture more cigarettes. On the other hand, tobacco growing employs more people than cigarettes production, so there might be an electoral connection in place that explains why the two closely related sectors exhibit different relationships with policy outcomes. Although tobacco growing is *probabilistically* quite strongly related to the timing and type of smoking bans, it is not a *deterministic* cause of delay and lax smoking policy: Italy, which is one of the biggest producers of tobacco in Europe, was in fact one of the very first countries to adopt, enact, and successfully enforce a comprehensive ban on smoking in its bars and restaurants.

The second important predictor of the duration-till-enactment *and* of the strictness of the smoking bans is public support for such restrictions. To the casual observer this finding might seem almost tautological but policy responsiveness cannot be taken for granted. In contemporary democracies, there are many issues for which policy and public opinion significantly diverge – the long-lasting rift between the general public and the political elites on European integration is just one example. Financial regulation and the bailing out of the banking system is another. Against this background, the high cross-sectional congruence between policy and public opinion in the field of anti-smoking policy is actually quite remarkable. It could be that, precisely because the smoking issue does not easily fit existing ideological cleavages that structure political conflict, policy can be directly responsive to mass attitudes. In the absence of strong ideological clues which position about smoking control to take, politicians are less constrained to follow the ebbs and flows of public opinion. As important as it is, the issue of passive smoking is still not a problem of high and lasting salience for governing parties, which implies that often they might not even have an explicit common position on the issue. Hence, it is easier to be opportunistic and take the lead from the general mood of the public. Furthermore, the rather strong cross-sectional links between public opinion and the smoking bans cast a shadow of doubt over the idea that tobacco policy has been developing under a ‘permissive consensus’ (Studlar, 2002) – it seems that *levels* of support, and not only the absence of opposition, matter.

Of course, public support for smoking bans itself is a result of interplay of different forces. Media framing effects, political announcements, lobbying efforts and policy feedback all probably influence how much the general population favors restrictions on smoking in public places. Policy entrepreneurs (Feldman and Bayer,

2004; Mele and Compagni, 2010) have a large role to play in this regard as well. Longitudinal studies of the dynamics of public opinion, media exposure, lobbying and policy outcomes²⁸ would help determine who leads and who follows in this policy domain.

Smoking prevalence in society also seems to increase the probability that smoking bans will be adopted later and that, once adopted, they will be more lax. Various indicators of smoking prevalence are significantly associated with these two aspects of the policy, but it is difficult to interpret the effects. First, smoking prevalence has been the target of sustained public policy for several decades now, so smoking prevalence is not completely exogenous to the introduction of the smoking bans. The relationship between smoking levels and policy is not a one-way street but reciprocal. Second, smoking prevalence itself is strongly correlated with tobacco production (0.41). The general, long-term smoking policy of a country is likely to be at least partly determined by the economic importance of the tobacco sector, and at least partly responsible for smoking levels in society. It is difficult to disentangle the causal relationships in this context. The more cigarettes people consume, the more important the revenue from taxes and excise duties on tobacco products for the state – yet a different reason why governments in societies that smoke more are less likely to curb smoking in bars and restaurants. Another possibility is that the higher the smoking prevalence in society is, the higher the detrimental effects of a smoking ban on the business of bars and restaurants will be. In addition, enforcement of the policy will be more difficult as well. What can be dismissed, however, is the interpretation that smoking prevalence decreases the likelihood of a smoking ban because of its effect on public opinion. Somewhat surprisingly, smoking levels and public support for bans on smoking in bars are only weakly related at the country level (-0.15).

Along with these domestic policy determinants, horizontal policy diffusion is also an important factor for the enactment of smoking bans. Even when we take into account the national economy and social attitudes, we find evidence that policy diffusion matters. The empirical analyses showed that the probability of policy enactment increased steadily since 2003 and the increase is related to the number of previous adopters of the policy. Anti-smoking policy is embedded in a dense

²⁸ Comparing the change in public support for smoking restrictions in bars between 2008 and 2005 shows that support grew stronger (by an average of 5%) in the group of countries that did not introduce any smoking restrictions than in the group of countries that enacted smoking restrictions in the time between the two surveys were conducted (by an average of 3%). Hence, on the basis of the Eurobarometer surveys we have no evidence that the introduction of smoking restrictions increases significantly public support for the policy.

framework set of international institutions. Along with the WHO and the EU, there are a multitude of transnational non-governmental organizations active in the policy area. While the quantitative analyses presented in this article bring ample evidence for the impact of diffusion, they cannot elucidate completely the mechanisms through which the influence is exercised. It is clear that the spread of bans on smoking in bars and restaurants in Europe since the trailblazing example of Ireland in 2004 is not a result of vertical diffusion backed by the power of coercion – both the WHO and the EU have issued only non-binding recommendations on this issue. Economic externalities are also unlikely to be the mechanisms through which diffusion spreads. Since party ideology plays no role in determining policy on the smoking ban, European transnational party organizations and the European Parliament party groups probably play no role in propagating the policy across the continent. Learning within transnational communities of policy experts and the flow of ideas between societies (Pacheko, forthcoming) remain as the most plausible candidates for diffusion mechanisms but, clearly, more research is needed.

This article provided some contradictory evidence about the impact of institutions. The extent of regional decentralization appears to be positively related to the strictness and to the faster adoption of anti-tobacco policy. Further efforts are needed in order to investigate systematically the potential influence of other political institutions, like the policy-specific veto players, or the relationships between the executive and the legislature, and even the influence of the courts on policy development.

In sum, this article showed that when an issue is not tightly embedded in the main political conflict dimensions, many different factors can influence policy making. Policy ideas and learning from abroad matters. But so do domestic economic factors, societal characteristics, and public opinion. This is not to say that policy making happens outside politics. It is only that once party positions are less constrained by the straightjacket of political ideology, a wider array of domestic and transnational influences can enter into the policy making game.

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