**REGIONAL GOVERNANCE and legitimacy IN SOUTH AMERICA: THE MEANING OF UNASUR[[1]](#endnote-2)**

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*Paper accepted for publication in International Affairs –not final version*

**Abstract**

This article examines new forms of politically sensitive governance defining regionalism in South America. It shows how contemporary South American regionalism bypasses the questions of trade and investment that dominated earlier schemes of regionalism in order to focus on shoring up democracy and managing the regional social deficit. The paper explores UNASUR’s actions in two policy areas: supporting the regional democratic norm and health policy. We argue that UNASUR is significant because it upholds democracy and promotes welfare policy. Yet, it is developing a hybrid form of output-focused legitimacy that rests on a combination of a commitment to welfare promotion for the poor and the pursuit of collective public goods, alongside a robust defence of quite minimal but uncontroversial standards of procedural democracy across the region. The analysis challenges the view that regionalism has failed in South America and identifies instead the emergence of a new sort of highly political regionalism. We call for UNASUR to be taken more seriously in the literature on comparative regionalism.

Claims that South American regionalism has failed have been common for a decade or more.[[2]](#endnote-3) Despite the fact that that regional initiatives have proliferated since at least the 1960s,[[3]](#endnote-4) issues of sovereignty, the absence of economic complementarity and the rapidly shifts in global economic power have acted as break on the creation of an effective South American common market and on ‘open’ regionalism, or integration through market opening. The result, according to Malamud, is the ‘segmented proliferation’ of weak and unstable models of region-building, leading some to conclude that regionalism in South America should be understood as little more than a series of disappointments.[[4]](#endnote-5) This conclusion would hold good if regionalism was only about economics. But as Börzel has pithily put it, when it comes to regionalism, ‘it’s not only the economy, stupid’.[[5]](#endnote-6)

In fact, regionalism in South America is far from being consigned to the scrapheap. Instead it is in a process of dramatic, but quiet, transformation. In contradiction to the economic projects of the 1990s and the early years of the millennium, contemporary region-building in South America is eminently political and inter-governmental in character. It bypasses questions of trade and investment in order to focus on shoring up democracy, managing the social deficit and regional security. The key idea underpinning regionalism now is to provide regional governments with a space above the state for debate, knowledge-sharing and the promotion of new practices and methods of regional policy formation and provide democratically elected governments with some external mechanism of support when faced with internal and external critics. This new register of regional governance is taking shape in a less spectacular way than in the past and it is proceeding in parts, rather than in response to a comprehensive road map set out in advance.

As Riggirozzi and Tussie argue, contemporary regionalism in South America is shaped by the changed geopolitics of the Americas.[[6]](#endnote-7) The relative decline of the USA and the fact that Washington is focused on domestic concerns and international crises outside the hemisphere, combined with Brazil’s foreign policy dilemmas, mean that there is no undisputed regional hegemon.[[7]](#endnote-8) UNASUR, the most significant of the new ‘post-hegemonic’[[8]](#endnote-9) forms of regional governance schemes, was created in 2008. Its Constitutive Charter establishes as main goals ‘to address social development, deepen democracy and establish economic complementarities between the member states for the purpose of poverty reduction’.[[9]](#endnote-10) In some ways, it picks up where the earlier idea of the Common Market of the South (MERCOSUR), which dates from 1991, left off. But while MERCOSUR represents only five South American countries (Argentina, Brazil, Uruguay, Paraguay and Venezuela), UNASUR, with twelve, unites the Southern hemisphere. Just as importantly, UNASUR set aside any attempt at economic integration – precisely the area where MERCOSUR has floundered – in order to focus on developing a deeply political badge of identity.

There is certainly something of a credibility gap around how much UNASUR can actually deliver, even with this more limited mandate. UNASUR needs to build its legitimacy and show its worth. With this in mind, we explore in this article some key aspects of how UNASUR is seeking to build its legitimacy as a regional actor through the protection of democracy and the promotion of welfare through knowledge provision and knowledge-sharing in support for rights-based social policy delivery.

As with all organisations above the state, there are questions to be asked about UNASUR’s democratic mandate. There are no mechanisms for direct inputs from civil society or South American electorates into UNASUR. Yet we would argue that UNASUR is nonetheless more directly concerned with the state of democracy in South America than other attempts at integration in the region’s recent past. With regard to welfare and the social deficit, UNASUR is making efforts to link ‘better’ policy making with the rights-based approaches that address the needs of the poor and the most vulnerable citizens of the region; and diplomatically UNASUR is developing a profile as an energetic defender of regional democracy. We conclude that UNASUR is developing a hybrid form of legitimacy: output focused, based on a normative vision of its role in the provision of regional public goods, namely democracy, human rights and the eradication of poverty.

**LEGITIMACY AND DEMOCRACY IN REGIONAL GOVERNANCE**

All projects of governance require legitimacy, understood as a process of validation of action taken by political leaders.[[10]](#endnote-11) Without legitimacy, governance is fragile and even dysfunctional.[[11]](#endnote-12) Yet it is also the case that all forms of governance above the state suffer from a legitimacy deficit, to a greater or lesser degree. The legitimacy of international organisations is questionable precisely because there is no ‘people’ able to hold them to account and no direct evidence, therefore, that their actions are supported by a democratic mandate. For this reason there is considerable debate as to how – indeed whether - international governance can be justified.[[12]](#endnote-13)

Broadly, for state-centric international relations scholars, democratic states can confer legitimacy on organisations above the state, especially if those organisations explicitly ‘promote the key values that underlie demands for democracy’.[[13]](#endnote-14) Critical theorists, however, do not accept either the methodological nationalism implicit in this view or its elitism. Instead, they argue that international governance should be directly accountable to citizens in some way and point to the range of organisations, from social movements to transnational non state organisations that seek to influence the decisions of international bodies.[[14]](#endnote-15) Regional governance institutions can present even more acute problems of legitimacy since they are sometimes designed to take on day-to-day regulatory functions and intervene directly in the lives of citizens.[[15]](#endnote-16) For this reason, the EU responded to its democratic deficit by creating an elected Parliament and seeking to include civil society networks in its governance structure, a process MERCOSUR explicitly sought to emulate.[[16]](#endnote-17) Nonetheless, the debate about legitimacy in regional organisations, particularly prolific in EU studies, tends to highlight the constitutional deficit related to legal and procedural aspects of representation, accountability and democratic allocation of political authority.[[17]](#endnote-18)

If legitimacy through democracy is traditionally regarded as ‘input’ legitimacy, organisations above the state also justify their existence through ‘output’ or efficiency legitimacy.[[18]](#endnote-19) Risse suggests if governance above the state contributes to ‘better’ outcomes, this can compensate for the absence of democratic control.[[19]](#endnote-20) Steffek goes further suggesting that effective institutions above the state have a kind of democratic legitimacy, despite an absence of democratic process, if it can be shown that outputs are of benefit to the ‘public interest’.[[20]](#endnote-21) He argues:

Democratic output legitimacy is present when government delivers results that are in the public interest of the respective community; based on encompassing knowledge pertinent to the issue; and that do not violate the human and civil rights of any member of the community.[[21]](#endnote-22)

There are risks with this approach, however, not least the separation of democracy from process and citizenship, and the reduction of democracy to the absence of rights violations. Nevertheless, caveats aside, both Steffek and Risse convince that an absolute distinction between input and output legitimacy (or put differently, democracy versus efficiency) does not always make sense. Both point to the emergence of forms of international and regional governance that are not directly democratic, but that nevertheless uphold democratic values and consciously seek to act for the collective good. In the process, they raise the prospect that regional governance can actively *enable* more and better democratic governance within national states even when it is not itself democratic in form. It could be argued, for example, that regional organisations promote democracy in member states if they support national governments achieve democratically mandated goals, ‘lock in’ democratic reforms and defend democratic practices.[[22]](#endnote-23) They can do so through negative action – excluding states that contravene established democratic standards – and in positive ways, by embedding democratic or human rights-based legislation, or supporting capacity-building, information provision and sharing, standards setting and regulation, policy creation and debate and research and development, provided those policies promote deeper democracy and/or enhance and extend human rights, wellbeing and welfare. Following Majone’s theorising about European and regional integration more generally, we propose that regional organisations can significantly address market failures and produce policy outcomes that are redistributive and efficient, supporting the identification of policy gaps and suitable decision-making, and improving existing policies in member states - what Majone identified as ‘Pareto optimal’ solutions.[[23]](#endnote-24) From this perspective, the discussion of legitimacy moves away from deliberative issues of democratic input to a focus on efficient responses and credibility of policy making.

These debates have generated many thought-provoking contributions concerning the EU and its democratic credentials, yet suggesting the importance of being alert to the possibility that regionalism might derive its legitimacy in quite different ways. In comparative perspective, this is particularly relevant in the global South where there is a need to compensate for limited state capacity. The analysis also suggests the possibility that post-hegemonic regionalism in South America, and UNASUR in particular, might draw legitimacy in quite different ways from either the EU or earlier region-building projects in South America. As the subsequent sections explain, knowledge-creation, knowledge-sharing and support for welfare delivery are at the heart of UNASUR’s mission; one measure of UNASUR’s success, therefore, is its capacity to deliver expertise and support national-level welfare policy making, working directly with governments. Another will rest on its capacity to serve as a regional protector of the transitions to democracy, which still periodically come under strain and which are vital for the international reputation and standing of the region as a whole. This new phase of regional governance scheme is less-headline grapping, and dramatic than previous projects of integration in South America; it is, after, chiefly about embedding and extending programmes and norms associated with national-level governance. Precisely for this reason, however, this more limited project seems to be more legitimate within South America than earlier, and sometimes highly controversial, region-building schemes.

**RENEWING SOUTH AMERICAN REGIONALISM: ADDRESSING THE CREDIBILTY GAP**

UNASUR is shaping up in a context of scepticism about the value of deep integration, in sharp contrast to the 1990s. Expectations, from policy-makers and citizens alike, are relatively low. It follows on from two quite intense decades of region-building based chiefly on the principles of inter-regional/inter-hemispheric trade and market opening. ‘New’ regionalism, as it was known, comprised the various attempts to make regionalism fit the realities of a neoliberal, post-Communist global political economy in the 1990s, and is the topic of a vast and still-growing literature.[[24]](#endnote-25) To recap a now well-known debate, the point of new regionalism was ‘to ‘lock in’ neoliberal economics and trade reforms. The Free Trade Area of the Americas (FTAA) was meant to stabilise market opening in South America and refashion hemispheric politics and economics in ways that suited the interests of transnational capital and US power. It was a radical and controversial project, precisely because it meant the subordination of South America to North American economic interests. A reassertion of *South* America followed, in the shape of the Common Market of the South or MERCOSUR, under the (unacknowledged) leadership of Brazil.[[25]](#endnote-26) By the mid-1990s, then, there were two distinct integration models in play. Both were ambitious. The FTAA aimed for hemispheric integration through the imposition of neoliberal economic rules, whilst MERCOSUR sought to build a common market committed to staggered market opening, complemented by a set of political institutions along the lines of the European model.

By the early 2000s, it was evident that the FTAA, the US-led model of hub-and spoke regionalism with Washington at the centre of a vast network of trade arrangements across the hemisphere, would prove unacceptable in South America. The Mar del Plata Summit of the Americas in 2005 effectively signalled the close of the project.[[26]](#endnote-27) Why it failed so spectacularly requires an explanation. Some of the principal difficulties, at least on the South American side, resided in a widespread belief in state sovereignty (and therefore hostility to what came to be seen as policies leveraged from Washington), combined with hyper-presidential powers that allow elected heads of state to reverse decisions taken by their predecessors.[[27]](#endnote-28) The FTAA sparked intense mass popular opposition, in which the rejection of the idea of leadership by North America combined with widespread protest brought on by exhaustion with neoliberalism itself. Attempts at elite civil society inclusion in regionalism through formal but somewhat meaningless consultations were dismissed by most social movements in the region as no more than invited participation.[[28]](#endnote-29) Mass mobilisation to oppose the FTAA led to the formation of national and transnational social movement coalitions and fed into the World Social Forum in 2001 where activists came together to debate alternatives to global neoliberalism. The return of grassroots politics to centre stage in South America through the protests against the FTAA, in fact, marked the beginning of the region’s electoral shift to the Left.

MERCOSUR, meanwhile, though it offered a far more modulated engagement with markets and certainly did not excite the same kind of degree of opprobrium as the FTAA, was far too ambitious in view of the limited capacity of most member states and their relatively weak commitment to it, a fact that was generally acknowledged by policy makers although rarely in public. At the same time, MERCOSUR offered very little to regional electorates whose main concerns lay with domestic politics. So, as Brazil focused its attention on playing a role globally through the BRICS, MERCOSUR simply stalled.

As Malamud rightly points out, the overall achievements from this period, especially when set in the context of its ambition in terms of economic integration, are quite low.[[29]](#endnote-30) Institutionally, decision-making processes in regional governance have been captured by a strong form of ‘presidentialism,’ reinforcing the power of executives at the expense of other voices. In terms of delivering social protection, welfare and human development, these remained seen as the responsibility of (seriously constrained) domestic spending choices, often to mitigate the effects of market reforms or to secure political support of citizens.[[30]](#endnote-31) The fact is that, in the end, regionalism played a much smaller role than had been imagined in the political economy of South America; in turn, this means that there is now something of a credibility gap in South America as to the democratic legitimacy and the worth of regional governance itself. But as the USA signalled much less interest in the region with the failure of the FTAA and its own concerns elsewhere, the question was never whether regionalism would be abandoned so much as how would it be re-imagined. The strong sense of ‘regionness’ with South America and the long-standing traditions of cooperation rendered abandonment impossible for states to contemplate.[[31]](#endnote-32)

UNASUR – or the reimagined model of regionalism - has as its chief strength its close fit, or at least its capacity to engage, with the new architecture of centre-left democracy in South America. As Acharya notes, changes to the form of national democracies profoundly affects the nature of regional governance.[[32]](#endnote-33) UNASUR fits the paradigm shift that began in South America in the early 2000s, as the conservative politics of the early years of the democratic transitions in the region gave way to the range of left and centre-left governments that dominate the region today. Part of the so-called ‘postneoliberal’ shift in South America is a fresh articulation of the nation and a more plural engagement with ideas about development than neoliberalism would permit.[[33]](#endnote-34) The new Left governments that took office across the region – in Venezuela (1998), Brazil (2002), Argentina (2003), Uruguay (2004), Bolivia (2005), Ecuador (2006), Paraguay (2008) and Peru (2011) – promise mixed economies and a generally pragmatic combination of welfare and populist policies.

Not surprisingly, then, the combined demands that national differences would be respected, new forms of regional cooperation would be strictly inter-governmental and that responsibility for economic decision-making would be recognised as sitting squarely with national governments have shaped the debate about the purpose and future of regionalism in South America. At the First Summit of South American Presidents in 2000, which was to give rise to UNASUR a few years later, discussions turned on how to support regional democracies and encourage development by deepening contacts and flows - of ideas, as well as material goods - across the region.[[34]](#endnote-35) The South American Union of Nations was established in 2004 Cuzco, Peru, and set out three principal goals. Two were fairly standard: the promise to reinvigorate inter-regional and the commitment to the creation of physical infrastructure (roads, energy and communications) to support better regional development. But alongside these was a promise of greater political cooperation in poverty eradication, particularly in health.[[35]](#endnote-36) UNASUR’s Constitutive Treaty explicitly declared the need to foster integration in ways that would support social inclusion and poverty eradication in ways that were based on the realisation of rights[[36]](#endnote-37). Supporting rights-based social policy, delivered through member states, came to be framed as a ‘regional’ responsibility. Moreover, a democratic clause was added to the Constitutive Treaty in 2010, allowing for measures to be taken against a member state if the democratic process is put in danger. In short, UNASUR became a ‘space for political action’[[37]](#endnote-38) and it moved towards articulating a programme of action and a claim for legitimacy based on eminently political terms.

**SEEKING LEGITIMACY THROUGH WELFARE POLICY**

UNASUR has committed itself to supporting more effective social policy in member states since its formation and official documents place a strong rhetorical emphasis on ‘rights’. These have come together, above all, in a commitment to welfare through rights-based health care; in marked contrast to the emphasis on trade and investment in earlier phases of region-building, health has become one of UNASUR’s primary ‘spaces for political action’. That health was a defining feature in the new regional agenda is not fortuitously. South America became a ready platform for the re-ignition of regionalism incorporating the normative dimensions of a new era, at odds with both the neoliberal core and defiant of US mentoring, redressing integration projects to respond to the legacies of poverty and Latin American’s social debt.[[38]](#endnote-39) The scale of health needs in South America is immense, despite poverty rates falling by more than 14 per cent between 2000 and 2013.[[39]](#endnote-40) The region’s poor are still at risk from the (re)emergence of infectious diseases such as dengue, chagas, and parasitic diseases. In parts of the region, such Bolivia, Paraguay and Peru, communicable diseases still determine the quality of life and life expectancy, while only limited access to basic medicines is still common.[[40]](#endnote-41) This bleak situation is worsened by reduced technical expertise and inefficient national health regulatory structures affecting as a consequence accessibility, quality, and equity in health services delivery. Not surprisingly, government failures to deliver decent health care figured as part of the anti-neoliberal protest across the region through the 1990s and first years of the new millennium, as spending on public health plummeted as a consequence of neoliberal reforms and budgetary cutbacks as the privatisation of health insurance directly reduced access to healthcare and rights.[[41]](#endnote-42)

Tackling health policy signals quiet ambition within UNASUR. But addressing health deficits through regional cooperation is also a shrewd move in South America since this is a policy area where there is considerable expert knowledge and where that local and regional expertise is genuinely valued. The region, moreover, has some experience of successful cooperation in primary health care to build on, through the long-standing Pan American Health Organisation (PAHO). Also, within South America, MERCOSUR and the Andean Community worked together to put in place trans-border epidemiological control and surveillance in response to, and support of, increased traffic of trade and people.[[42]](#endnote-43) The focus on health means additionally that there is a potential tangible ‘deliverable’ that can be attached to region-building in the form of measurably better health outcomes. Finally, better and more effective health policies feature as part of the demands of the New Left, meaning that UNASUR can act in concert with regional states. The shift to the Left in South America has put rights based ideas about health on the political agenda as part of the concept of ‘*buen vivir*’ (well-being), which has found a place in new constitutions of Bolivia and Ecuador; discussions are also opening up about what ‘universal’ health care might look like in South America. In short, health is clearly an issue-area where UNASUR can make a difference and which, at the same time, responds to current debates in the region. UNASUR has been careful to link the focus on health to the idea of democratically responsive regionalism: raising regional health standards is defined as a way to capture ‘the energetic force of the people in the process for South American integration’ and as a vehicle for inclusion and citizenship.[[43]](#endnote-44)

Moreover, unlike other social areas, health has a history of social activism in the region. Decent health care has been part of the social justice agenda in South America since the mid-1950s and in some cases the right to health was embedded within the agenda of democratisation.[[44]](#endnote-45) In Brazil, the *movimiento sanitarista* (health movement) was part of the social movements that organised to demand democratisation in the 1970s and early 1980s. It also played a role in the Constitutional reform in 1988 that led to the introduction of a universal public health system in Brazil.[[45]](#endnote-46) Grassroots social movements have campaigned in the region around the slogan ‘*salud es democracia’* (‘health is democracy’) promoting the idea that health provision is a central element of meaningful citizenship. Brazil – once again regional leader here - also pioneered a form of health diplomacy and led international demands for access to medicines in response to the escalation of HIV and price reductions in the procurement of pharmaceuticals for national health programmes.[[46]](#endnote-47) Adopting health as a key policy area for UNASUR, therefore, reflects the demands of activist health professionals in the region and it speaks to a wish on the part of UNASUR to be seen as responsive to its societies.

The South American Health Council was created in 2009 to map out the broad parameters of UNASUR’s health policy and take political responsibility for it. An inter-governmental body, it is made up of the Ministers of Health of the twelve member states. The role of the Council is to set policy priorities, working in conjunction with Technical Groups set up around some health themes and networks to help policy delivery. In 2009 UNASUR Health Council approved a Five Year Plan, which outlines five areas for action: (1) surveillance, prevention and control of diseases; (2) development of Universal Health Systems for South American countries; (3) information for implementation and monitoring health policies; (4) strategies to increase access to medicines and foster production and commercialisation of generic drugs; and (5) capacity building directed at health practitioners and policy makers for the formulation, management and negotiation of health policies at domestic and international levels.[[47]](#endnote-48) Needless to say, the themes were not chosen at random. They make sense both epidemiologically in that some are areas where cooperation would be of direct benefit to the region’s population (disease control, for example, or the prospect of greater availability of generic drugs) whilst others correspond to the political demands of post-neoliberal governments and their grassroots supporters, such as the development of a universal health system. In taking up health, then, UNASUR is directly connecting itself with the social struggles for access to health and health equity that have unfolded in the continent over many years.

One issue that quickly became apparent is that, in order to tackle health inequalities within the region, more than cross border cooperation and surveillance would be required from governments; the region would also have to develop some shared mechanisms to address the fact that the policy capacity to respond to health emergencies or build primary care were highly unequal within South America. Put differently, UNASUR’s championing of the right to health also created a need for knowledge-sharing about how this might be delivered through coordination, technical expertise and standards. This lead in turn to the creation of a regional health think tank, the South American Institute of Health Governance (Instituto Sudamericano de Gobierno en Salud, (ISAGS), under the auspices of the Health Council and reporting directly to it. ISAGS tasks are to provide policy-oriented and informative research, training and capacity building for member states.[[48]](#endnote-49) Its main functions are to:

1) identify needs, develop programmes and capacity building for human resources and leadership in health;

2) organise existing knowledge and carry out research on health policies and health governance as per request of the South American Health Council or member states;

3) systematise, organise and disseminate technical-scientific information on regional and global health, with the intention of supporting decision-making process and advocacy;

4) support the formulation of UNASUR’s common external policies to back up negotiations in global and international agendas;

5) provide technical support to national health institutions.[[49]](#endnote-50)

ISAGS has emerged as the most active level of health governance within UNASUR and the key tier of regional health governance, the Health Council – or the Ministries of Health –benefits in a number of ways, from being more effectively briefed at international meetings to having regional expertise to call on to support national health targets. Located in Rio, ISAGS is able to capitalise on the leadership of Brazilian diplomats and health experts in international negotiations on the provision of medicines and the right to health and on the historic *movimiento sanitarista*,[[50]](#endnote-51) and other the Brazilian health research institutions such as the Oswaldo Cruz Foundation.[[51]](#endnote-52) ISAGS is, almost inevitably, more radical than the Health Council itself. Its core philosophy is that health provision cannot be left to the market and its position within the governance structure in UNASUR means that it has been able to infuse policy making with a rhetoric about rights and universalism. It gives UNASUR an aura not just of technical know-how and expertise, much in the way of PAHO, but conveys the message, through new normative frameworks and practice, that health is a matter of politics and rights as well as part of a more comprehensive approach to social determinants of health and democratic standards. In many ways being a new institution, tied to the new regional political economic coordinates in South America and being genuinely South American means that UNASUR/ISAGS is in a better position to deliver effective health governance than PAHO, a Washington-based institution with more than one hundred years of history and with a mandate that focuses on ‘health coverage’ rather than ‘universal access to health’ as supported by ISAGS/UNASUR. These are different ways of addressing how health care reaches societies, and ultimately speak of different conceptions of entitlement and equality.[[52]](#endnote-53) ISAGS became active in strengthening health governance capacity, acting in the advocacy of the right to health and in support of policy-making and policy reforms towards universalisation of health across the region.[[53]](#endnote-54) ISAGS has already trained policy makers and practitioners by setting up UNASUR-sponsored Public Health Schools in Peru, Uruguay, Bolivia and Guyana and the UNASUR Network of Public Health Schools supports training across the region.[[54]](#endnote-55) ISAGS has also provided support directly to Ministries of Health in Paraguay and Guyana on primary care and the preparation of clinical protocols and supported reforms aimed to move towards universalisation of health sector provision in Colombia, Peru and Bolivia.[[55]](#endnote-56) ISAGS is involved in the diffusion of information on combatting HIV/AIDS, influenza and dengue fever across the region[[56]](#endnote-57) and has developed mapping techniques to coordinate shared policies for the production of some key medicines. Policy advances of this sort - concrete, modest, focused and cheap to deliver - taken in a relatively short time framework and below the radar of political commentary are unusual in the context of previous projects of South American regionalism and they stand as evidence of UNASUR’s grounded approach.

Additionally ISAGS has begun to scale up its level of activity on behalf of UNASUR, once again with relatively little attendant publicity. ISAGS has been quietly targeting global health governance fora and is trying to establish joint bargaining position for South American negotiators *vis-a-vis* pharmaceutical companies and in the World Health Organisation.[[57]](#endnote-58) ISAGS now holds meetings prior to each annual gathering of the WHO, meaning that UNASUR is increasingly able to coordinate its actions at the WHO and is beginning to speak out on behalf of developing countries more widely. UNASUR has begun to campaign on access to medicines, and is keen to coordinate active resistance to the dominance of pharmaceutical companies as part of its campaign for rights-based access to health.[[58]](#endnote-59)

What are we to make, then, of UNASUR’s activities in the area of health in terms of understanding South American regionalism? Certainly, this is far from being a comprehensive programme of welfare delivered through the region or indeed a citizen-based governance model of health. But, equally, it suggests that UNASUR is acting as a regional space for health policy coordination, innovation and collective action and allowing practitioners, academic and policy makers to come together to collaborate and create a network that crosses civil society and member states, in support of better access to healthcare, services and medicines. Meanwhile, from the perspective of UNASUR itself, health is part of the process of legitimacy-building and it stands as evidence that this new phase of regionalism is profoundly concerned with the issues faced by ‘ordinary’ people.

**UPHOLDING THE DEMOCRATIC NORM IN SOUTH AMERICA**

The right to democratic governance in South America has gradually been incorporated into hemispheric governance and is also set out in in South American regional institutions. The Organisation of American States (OAS) agreed the Protocols of Washington, which allows for a member state in violation of democracy to be expelled from the organisation, as early as 1997.[[59]](#endnote-60) MERCOSUR, which was born from broadly contemporaneous and equally fragile transitions to democracy in Argentina and Brazil, also took up democratisation as a theme of integration. As Gardini points out, democracy was established as a ‘foundational idea’ uniting the MERCOSUR group of countries.[[60]](#endnote-61) But if democracy conferred legitimacy on the presidential politics that actually characterised MERCOSUR, the institutional matrix that emerged acted chiefly as an obstacle to direct citizen engagement.[[61]](#endnote-62) Moreover, although MERCOSUR agreed the Ushuaia Protocol on democracy in 1998, how exactly it could act to shore up democracy in South America more widely in cases where it was threatened was not clear, especially given its limited membership. MERCOSUR’s capacity as an active pro-democracy actor in the region was always more limited in practice than the rhetoric promised.

UNASUR has inherited and built on these commitments to supporting the democratic norm in the region and may have learned something from MERCOSUR’s limitations. Steps were taken quickly to establish a legal basis for pro-democracy action via a democracy clause attached to UNASUR’s Constitution in 2010. The ‘Additional Protocol on Commitment to Democracy’, as it is formally called, allows for rapid response consultations and the deployment of diplomatic missions if democracy is thought to be threatened, the adoption of sanctions, including suspension from participation in the organisation, trade sanctions, and even the closing of borders.[[62]](#endnote-63) The clause was designed to be effective once ratifications reached nine and it came into force in March 2014 with ratifications in Ecuador and Colombia.

The clause was always intended as a tool to be deployed rather than simply a paper agreement. It had come about as UNASUR struggled to respond to events in Ecuador in 2010 when attempts were made to overthrow the elected President, Rafael Correa, in a police mutiny. UNASUR did not even wait for the clause to be ratified before acting in 2012 in defence of democracy in Paraguay, when left-wing President Fernando Lugo was removed from office following a Congressional impeachment process of dubious legitimacy.[[63]](#endnote-64) Lugo, a centre-left ex-bishop, became president after the 2008 presidential elections on a platform of far-reaching and long-overdue social reforms. However, once in office his reform programme, especially land and tax reform, was vehemently opposed by powerful vested interests represented in the major opposition parties and lobby groups such as the Rural Association of Paraguay, and agro-export business.[[64]](#endnote-65) The result was political competition and increasing polarisation, social discontent and in turn crisis of governance leading to the Congressional impeachment on counts of ‘poor performance’.[[65]](#endnote-66) Led by Brazil in particular, UNASUR countries quickly condemned the impeachment as undemocratic and proposed the suspension of Paraguay from UNASUR (and MERCOSUR), whilst Venezuela went even further and cut off oil supplies to Paraguay.[[66]](#endnote-67) A team of high-level regional diplomats was also organised to monitor the situation (along the lines envisaged by the democracy clause) and to encourage a peaceful end to the crisis. UNASUR’s actions in relation to the Paraguayan crisis stood in marked contrast to those of the OAS, which insisted that the removal of Lugo was legal.[[67]](#endnote-68) Lugo himself unwillingly accepted the outcome of the Congressional proceedings, despite questioning its legitimacy and chose to stand for the Senate elections, which he won. This partial resolution allowed Paraguay to re-enter UNASUR. But it was made clear nonetheless, that UNASUR would act robustly where it could, to protect democratic institutions in the region.[[68]](#endnote-69)

UNASUR benefited from the Paraguayan crisis in that it became clear that it was not only willing to act but also to pursue an independent line from the USA in terms of democracy protection. Its independence is, in fact, part of why its criticisms carry weight in the region. Unlike the OAS, which can easily look like it has been unduly influenced by the USA, UNASUR is evidence that South American countries will police the preservation of democracy for themselves.

The differences between North and South America in relation to regional democracy are further illustrated in relation to Venezuela. South American countries regarded Venezuela’s controversial President Hugo Chavez as a legitimate and democratically elected President, whatever their views about his policies, whilst Washington has sided strongly with the Venezuelan opposition, before and after Chavez’s death in 2013. In February 2014, not long after Nicolas Maduro, Chavez’s successor, took office, Venezuela entered a dangerous path of social protest and repression.[[69]](#endnote-70) Continuous violent street protests focused on inflation, shortages and crime, while opposition leaders launched a campaign to oust Maduro and his socialist government. Political tensions are part and parcel of subjacent causes held by a deeply polarised society, split because of partisan and class-anchored social fracture. [[70]](#endnote-71) This politically sensitive scenario was addressed by UNASUR as it took immediate lead stepping in to try and mediate. A UNASUR delegation was formed in an attempt to broker peace talks between the Venezuelan government and opposition leaders, a proposal that was accepted by both parties and is still ongoing.[[71]](#endnote-72) The US in contrast increased its support for the Venezuelan opposition. President Obama called on Brazil and other South American countries to condemn President Maduro for human rights violations, the request was met with a clear refusal. UNASUR has preferred instead to issue call for all parties in Venezuela to respect human rights and find a negotiated way forward.[[72]](#endnote-73) Moreover, and marking the distance between North and South American approaches even more clearly, UNASUR decided in February 2015 to set up a commission to investigate possible US interventions to destabilise democracy in Venezuela, at the request of the Venezuelan government.[[73]](#endnote-74)

Democratic promotion and protection is generally an elitist affair, carried out by politicians, diplomats, international bureaucrats and civil servants and, at the regional level, can act as a way to shore up Presidential authority. But in a region where democracy is not yet entirely assured, it can play an important role in moments of crisis by signalling that interrupting the democratic process will carry a heavy diplomatic price. UNASUR’s actions in this area are not, therefore, without significance. Of course, the fact that South American countries use UNASUR to defend democracy is not – and should not be taken to imply – that UNASUR is part of a project of deep democratization or citizenship governance. UNASUR is willing to act to stop elected governments being overthrown than it is not pushing for mechanisms to ensure citizen voice or representation – indeed such measures would be regarded as undue intromission in member state affairs. Still, UNASUR is willing to stake out a firm defence of regional democracy, understood as respect for democratically elected Presidents, even when doing so means some disagreement with the US. And this is precisely one of the points of UNASUR as a regional governance body: it self-consciously represents a democratic *South* America. This combination of inclusiveness (all South American countries can join) along with a firm defence of minimal standards of democratic standards, even in defiance of the USA, allows it to claim the right to speak for the region in ways that other regional organisations could not.

**cONCLUSION**

UNASUR is a new experience for South America. It is a regional governance project based not on economic integration but on social policies, political cooperation and a defence of democracy; its aspirations are limited but there realistic plans in place for delivery; and there appears to be preference for creating a team of professional specialists to take charge of a policy area rather than having politicians making grand (and unrealistic) statements of policy intent. Moreover, UNASUR is willing to publicly disagree with the USA. This is neither insulated, sealed-off governance, where decisions that affect the future development of the region are being taken unaccountably, nor is it citizenship-centred governance. Instead, it is a hybrid form of politically sensitive governance, in which technical capacity is mixed with institutional commitment to limited intervention in ways that respect sovereignty but promote democracy. Its legitimacy, as such, rests on a combination of a commitment to welfare promotion for the poor and the pursuit of collective public goods, alongside a robust defence of quite minimal but uncontroversial standards of procedural democracy across the region.

To be clear, UNASUR is not about creating deep democratic engagement in South America. There are no citizenship inputs and no plans for any to come on stream in the future. But neither is UNASUR entirely divorced from the democratic process in South America and it has established for itself a role in supporting democracy in the region at moments of crisis. UNASUR has emerged through inter-governmental negotiations between governments all of which are committed to democratic processes and to strengthening democracy regionally. Many of those governments, moreover, have explicitly sought to introduce new forms of democratic innovation, including Bolivia, Ecuador and Brazil. And, for all the member states, UNASUR’s agenda and in particular its actions in support of a regional health agenda, are about reducing the social deficit in ways that not only respect rights but also create conditions for people to act more effectively as citizens.

Perhaps surprisingly, UNASUR has not yet been paid the attention it deserves in the comparative literature on regional governance. Certainly, it is something of a *sui generis* case. It does not fit either the idea of regionalism as neoliberalism nor the radical citizenship centred projects that motivated protests and put an end to the FTAA itself. But it is precisely because it is a hybrid project that makes it so interesting, based as it is on as combination of firm – but conventional – support for democracy, alongside a more innovative package of welfare support. It may even turn out to be an example in fact of what Scharpf would have called ‘positive integration’.[[74]](#endnote-75)

1. This article draws on a combination of documentary analysis, newspapers and interview data. Some of the research was carried out in the context of a research project supported by the ESRC project Economic and Social Research Council (ESRC), Grant Ref. ES/L005336/1, and does not necessarily reflect the opinions of the ESRC. [↑](#endnote-ref-2)
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