**The Credibility of Regional Policymaking: Insights from South America**

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**Abstract**

Integrated regional responses to international threats and opportunities have become prevalent. Yet significant lacunae persist in our recognition of some impacts of regional policies. Where instrumentation for measuring impact of regional policy does exist, it either tends to measure economic integration only, is heavily influenced by the EU model, or focuses on impacts that we have come to expect from national level policymaking. While there is merit in these measurements, in this paper we show that important effects of regional policymaking in South American regionalism are being overlooked. Specifically, we argue that failure to recognise the creation of novel normative frameworks, the changing dynamics of representation and diplomacy in regional governance, and social policy outcomes from regional policymaking has negatively affected the credibility of regional organisations. We make this case by focusing on regional social policies in inter-governmental organisations in South America across varying domains of regional policy. Lack of understanding of the impact of regional policy risks trivialising whatever progress in regional policy might be made and, critically, affects the legitimacy and credibility of regional governance.

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1. **Introduction: Regional Policymaking Misjudged**

The study of ‘regionalism’ as a process of policy formation and implementation, and ‘region’ as the grounding of that policy have been an ever-increasing phenomenon in an era of globalisation. The creation of regional organisations to manage supra-national and inter-governmental relations in geographic, politico-strategic and ideational senses has been a critical manifestation of that trend (Fawcett and Hurrell 1995; Buzan 2003; Acharya 2017). Beyond its conceptual value the regional political space offers an important venue for deliberation, where state and non-state actors can work out modalities of cooperation, coordination and governance. Making policies at the regional level not only offers a mechanism for cross-border exchange and cooperation, but also makes sense because some social problems, such as those related to migration, health, and the environment, for example, are exacerbated or facilitated by regional developments and exchanges (Deacon *et al* 2010, Riggirozzi 2014). Regional organisations can create an authoritative set of institutions and policy regulations for individual member states to ‘lock-in’ national legislation (Pevehouse 2005), to respond to economic and political challenges (Riggirozzi and Tussie 2012), and to improve collective action in the international arena (Gehring et al 2013).

The last half decade has seen the political compass in Latin America moving to the Right in a large part of the region, including Brazil, Chile, Ecuador and sporadically in Argentina. This change has produced a significant constraint for what became known as ‘post-hegemonic regionalism’ to refer to those organisations that emerged in the early 2000s to contest or at least to compensate for the commercial impetus that had defined national and regional policies since the 1990s (Riggirozzi and Tussie 2012). Looking back to these developments, particularly the last two decades, we can claim that failures in regional politics are not always a zero-sum game. The articulation of political and regional commitments is always possible, even in the most testing circumstances. Also, certain elements of regionalism survive in a broader way, not only as distinct short-term political projects associated with a limited time mandate, but as long-term developments that fit into a grander dialectical narrative in the development of cross-national policymaking.

In Latin America, and more recently in Europe, regional institutions have become a more salient focus of political and social contention. It has become increasingly clear as domestic politics become more tightly coupled with regional policy outcomes, that normative arguments about regional institutions are starting to represent more distinct political ideologies and cleavages. National referendums in EU member states, and financial and migration policies in particular, have highlighted frustration and lack of credibility of the public in the EU as a regulatory instrument (Rose 2019; Bulmer and Quaglia 2018). In Latin America, underwhelming economic performance and political and administrative stagnation due to political and ideological divisions led to the discrediting of regional organisations (Malamud 2013; Quiliconi and Rivera 2019). But rather than seeing regionalism in South America as a series of highly disappointing failures we propose unpacking further what regional policy making may mean for social and wellbeing agendas even in contexts of weak institutionalisation. Here we consider how such regional organisations demonstrate value and provide recognisable and believable consequences of regional political interactions. How do we analyse regional governance in the absence of supranational institutions, and what forms of legitimacy underpins such regionalism?

We explore these questions in relation to regional governance in South America. This is relevant because little effort has been made to systematically assess the significance (if any) that regional organizations in Latin America have played in addressing social development, poverty and welfare. More fundamentally, the perceived effects of regional policy have important implications for public trust, legitimacy and credibility of regional organisations. Credibility of regionalism requires better recognising alternative outputs of regionalism to those that are foregrounded by existing theories. Understanding of regional organisations’ impacts needs to move beyond classifications of ideal types of weak or strong institutionalisation to providing more nuanced accounts of the impact of regional organisations. There *may* be a causal relationship between institutionalisation and the credibility of regional politics as legitimate policymaking - but they are not the same thing. We recognise legitimacy of regionalism in South America in activities that are overlooked or underplayed by general theories of regional policy legitimacy. We agree with Tallberg and Zürn (2019: 584) that legitimacy ‘lies with the beliefs and perceptions of audiences, not the normative goodness of an institution’. One of the challenges assessing legitimacy in South American regional governance is precisely that *the audience’* is difficult to identify. While regional organisations are recognised focal arenas for states’ efforts to coordinate policies and solve problems, one defining feature of South American regionalism is a clear lack of ‘public’ in regional policy making. Regionalism in South America is another venue for intergovernmental policy making. Furthermore, in the absence of recognisably integrated *demoi,* the democratic authority of institutions derives from the member state’s governments. In this context in contrast to analyses that go looking for input legitimacy through an assessment of the institutional texture, we propose that because of the lack of demos, regional legitimacy is likely to come ‘back-to -front’. That is outputs can be instrumental in guiding perception of legitimacy based not only on what policies and programmes regional organisations adopt and implement but also socialisation of norms and expectations amongst groups of networked actors (see Mace and Lockhart 2019). Building on this discussion, we identify three important lacunae in current conceptualisations of output of regional policy and explain the consequences of their neglect for the credibility of regional organisations.

First, assessments of regional policy outputs that focus on strong institutionalisation as the output itself (or outputs implied by institutionalisation) trivialises what semi-institutionalised regions do achieve and what they can possibly achieve. We show that in spite of, or perhaps aided by, less rigid institutional architectures of regionalism in South America, regional policy actors have focused on regional agenda-setting and creation of normative frameworks through networks of institutions. We also show that the significance of those frameworks is that they create new opportunities for tangible policy outputs in areas of social protection, health and education, and migration.

Second, rather than equate institutional attrition and upheaval with loss of leadership and returns to minimalist regional agendas, an expanded understanding of regional politics reveals how regionalism can overcome abeyances of regional leadership. Here we point to how regional framing of issues continues to operate in a coordinated manner by enabling new dynamics of representation and diplomacy.

Third, investment in regionalism is resilient to changes in institutions. We show that in the context of more fluid and semi-organic institutionalisation of regional organisations, transnational networks of epistemic and diplomatic communities can work hard to maintain agendas and find new opportunities for financial, technical and public support.

Our argument supports the claim that like all projects of governance, any form of regional organisation requires legitimacy, understood as a process of validation of action taken by political and social actors (Reus-Smit 2007: 158). Legitimacy, in other words, validates and supports the credibility of an organisation and its activities - and is a sine qua non to mobilise resources and acquire necessary support from constituents to survive. Organisations will enhance their legitimacy if they are credible and validated as a project of governance. Lack of credibility affects an organisation’s legitimacy. Without this credibility, regional governance will remain fragile and dysfunctional (Ribeiro Hoffman and van der Vleuten 2007). In acknowledging that legitimacy of regional organisations decreases if they lose credibility, we echo a concern raised by Tallberg and Zurn (2019) regarding the way in which perceptions of legitimacy of organisations are affected by public opinion, while perception of practices can boost or undermine the legitimacy of these organisations. We are concerned that the prevailing perspectives assessing legitimacy of regional organisation privilege a focus on institutional and constitutional procedures, and economic outcomes, while neglecting other ways of assessing and identifying regional policymaking in South America, and results in negative feedback rather than positive reinforcement of credibility of regional governance.

In what follows we first address the issue of legitimacy vis-à-vis outputs across regional organisations. We focus on outputs as distinct from inputs and outcomes, though claim that outputs may extend into impactful outcomes, reinforcing both credibility and legitimacy of regional organisations. We then outline the social promise of South American regionalism in the 21st Century to provide a more coherent delineation of the expectations of regional outputs and the problem of credibility. We conclude with a discussion of how to capture the bond between regional policy and the people in support of credible social roles for regional organisations in South America.

1. **How to understand legitimacy and policymaking in regional governance in South America**

Regionalism is not just another aspect of national or international politics but a distinct and important space for formulation and implementation of coordinated policies above states. International threats increasingly affect territories and cultures shared across states, bringing to centre stage the role of regional organisations in providing solutions and supporting states and non-state actors to pursue credible and achievable policy to achieve public goods. Regional policy can imply rules that bind state behaviour, or it can involve framing (new) ideas and norms that can guide and structure practice and agency across multiple levels of governance. An overt focus on regional governance in terms of regional economic frameworks (Fawcett and Hurrell 1995, Acharya and Johnston 2007, Gomez Mera 2008) or security complexes (Adler and Barnett 1998, Buzan 2003), supranationality and sovereignty (Mattli 1999, Malamud 2013) has meant that research and practice has been somewhat blind to the ‘social role’ of regional organisations and regional policy in Latin America. This has not been entirely a matter of academic neglect, but rather the case of clear lack of ‘public’ in regional policy making, except for that delegated to governmental agencies. For this reason, regionalism in South America has been associated with high presidentialism (Malamud 2013).

Furthermore, in the absence of recognisably integrated *demoi,* there is no clear democratic authority appearing in the form of institutionalised inputs and direct participation of social actors in decision making. In fact, there is a problematic relationship between legitimacy of institutions and their acceptance that is directly related to their responsiveness to the public interest; and accountability of intergovernmental governance. In this context, assertions on the credibility and legitimacy of regional organisations have shaped perspectives, reinforcing accounts of democratic deficits based on the (absence of) the legal and procedural aspects of representation, accountability and democratic allocation of political authority (Rittberger and Schroeder 2016; Dinwerth et al 2020).

That view, highly influenced by EU studies, assumes a bond between regional policy and policy making based on versions of a regional demos understood as public discourse, social recognition, delegated authority and fair participation in institutionalised electoral practices (Moravcsik 2008: 173). But the theory of the public in these accounts of intergovernmental regional governance as agent and beneficiary of regional policy can be problematic. For instance, it fails to account for important elements of politics that define regional integration in South America and its sources of legitimacy. Member states often created particular institutions at the regional level to enhance authority and management of economic and political relations in reaction to specific actions and pressures external to the region (Riggirozzi and Tussie 2012). In this context while both participation of citizens and performance of the political authority in support of social goals remain necessary conditions for obtaining legitimacy, the understanding that citizens or nation-states transfer their authority to a single regional political entity that performs as a site for all regional politics does not. Multiple regional initiatives that secure not only trade, investment, and security but increasingly tackle issues of social policy, such as health, education and migration policy pursue distinctive strategies in their concerted action, and reimagine the terms of legitimacy of regional governance in Latin America.

This leads us to a corollary critique; that is, any discussion about legitimacy in regional organisations will always be deficient without observations and measures of outputs that are sensitive to the varieties of forms that regional politics take. This article builds upon a contention largely developed in the study of regionalism that highlights the centrality of policy outputs of multilateral organisations to understanding their capacity to deal with societal problems as wider legitimation processes (see Duina and Lenz 2017; Tallberg and Zürn 2019; Mace and Lockhart 2019; Mace 2020). This literature has made significant inroads into innovative accounts of legitimacy in regional and multilateral organisations beyond measures of input legitimacy that privilege issues of representation, decision making procedures and law-based norms (Clark 2005; Reus-Smit 2007: 158; Steffek 2014). This is not to deny the centrality of technocratic procedures and performance, or the normative appropriateness of democratic authority and their representatives in regional organisations. These considerations are undoubtedly important for the reproduction of democratic global governance in practice and of internationally shared conceptions of good governance (Zürn 2018; Dingwerth et al 2020). But while those aspects of regional legitimacy have captured scholarly attention, we still know very little about the possibilities for regional organisations to affect and lead social policy, and the importance of scrutinising output of the organisations in those areas.

A focus on South American regionalism allows attention to forms of regional performance and interventions in pursuit of social goals through regional policy. A focus on the ‘social’ also allows us to understand how regionalism acts and enables acting upon different areas of social policy. By exploring these dynamics in South American regionalism, we contribute with a perspective that places modalities of regional actions as central to the understanding of output legitimacy, where these outputs are recognised by whether and how regional governance (i) creates coherent normative or conceptual frameworks structuring inter-governmental and expert network models of regional governance; (ii) facilitates the re-allocation of material and knowledge resources in support of public policy and policy implementation; and (iii) enables new dynamics of representation and diplomacy (Riggirozzi 2014: 451).

The first assessment requires that we can identify effects of framing debates and getting issues on to the political agenda: regional organisations can highlight issues, bringing otherwise underappreciated discourses to the fore and in some cases creating new norms. They can take specific actions that make modalities of governance more favourable in an issue area. For example, by promoting and instantiating the requirements of international treaties or declarations, regional organisations can influence the opportunity space for policymaking at the national level. They can effectively work to constrict options through setting discursive norms. At a more concrete level they can choose which ‘problems’ to define and provide policy guidance on. Creating normative frameworksis also an important mechanism for policy diffusion, drawing attention to issues and affecting the awareness, attitudes or perceptions of key stakeholders within regional states and their societies, promoting, for example, recognition of specific groups or endorsements of international declarations. Regional organisations can provide normative and institutional resources for the harmonisation of international and national policies and definition of regional strategies. This is not a minor output, as who frames what and why depends on how the actors, including government officials, non-governmental organisations, multilateral institutions, and public-private partnerships, define their goals and objectives, and exercise political action, including power relations. That regional organisations can affect how policy is thought about and practiced adds nuance to conventional analysis, particularly within comparative regionalism, that has centred almost exclusively on scrutinising ‘tangibles’ as a measure of meaningful and effective regionalism (de Lombaerde et al 2010; Börzel 2011). Little attention has been paid to how regional organisations contribute to creating what Acharya identifies as ‘normative congruence’ (2011) or the capacity of regional organisations to ‘translate’ international norms into local settings, sometimes amalgamating and compromising with already rooted systems of beliefs and prevailing norms in the region and in domestic arenas. We thus argue that more attention needs to be paid to how regions set agendas in spite of any perceived lack of institutionalisation.

Second, regional organisations can facilitate re-allocation of resources through the mobilisation of human, financial and knowledge resources in support of social policy delivery. The key idea underpinning regionalism in this sense is that it provides a space above the state not only for debate, knowledge-sharing and the promotion of norms and methods of regional policy formation and practice, but also that it can provide governments with some technical knowledge and/or financial support mechanisms to which actors can turn when faced with internal and external pressures. One measure of regional organisations’ functionality, therefore, is whether and how much they can deliver expertise to support national-level policy-making, working directly with governments or other key actors improving the institutional framework surrounding policy and claim making. Another is that regional organisations can effectively bridge regional and national policies and sustain the cross-border policy networks required to ensure efficient policy outcomes for citizens. In some cases, where institutionalisation is weak and organisations overlap one or two regional level political organisations can act as lightning rods for disagreement, which allows other regional actors in governing networks to venue shop, reallocate resource and get on with the work of policymaking where consensus does exist.

Finally, regional organisations can open up political opportunities for advocacy and collective action. They can effectively bridge the gap between more localised campaigns on more immediate issues facing publics, and the global goals of international communities. In turn the output of regional brokering can increase activism and pressure on national governments to produce outcomes that respond to global problems in ways that would be difficult for national governments to achieve. In this sense the semi-organic development of regionalism in places like South America where regional organisations have waxed and waned in their authority, shifted their jurisdiction, or dissolved and revived elsewhere, allows for agile responsiveness to emerging movements.

What this categorisation suggests is that there are different articulations of values and strategies that characterise regional governance and those bear different relevance for the outputs of regional policy in practice. This conceptualisation is also important not only because it sets grounds for describing and comparing the role of regional governance in different issue areas but also because it offers grounds to assess output legitimacy and credibility as the outcome of such effective and sustained processes and performance. The following table summarises these forms of output legitimacy that can be recognised in regional organisations.

Table 1- Roles of regional organisations that lend output legitimacy

|  |  |
| --- | --- |
| *Roles of regional organisations* | *Recognised outputs* |
| Creation of Normative Frameworks | Changing issue salience and/or discourse use |
| Specific actions taken linked to RO |
| RO/regional network constricts agenda |
| RO/regional network defines problems |
| Specific policy guidance at regional level |
|  | Strategically act as lightening rod /locking-in national policy |
| Reallocation of Resources | Supporting specialist policy networks |
| Sharing expertise |
| Reallocate support regionally (technologies/finance/administrative resources) |
| Establishment of Dynamics of representation | Represent local concerns not addressed by national governments at international level. |

In the next section we elucidate how these roles and outputs are recognised in the case of South American regionalism. We look at Mercosur and UNASUR, providing an assessment of how they act in specific areas such as health and migration, and identifying outputs derived from the role of regional organisations.

1. **The social agenda in South American regionalism**

In *The Customs Union* (1950) Jacob Viner was concerned with the effects of regional integration on welfare. Viner asked whether regional trade agreements were beneficial to welfare, concluding that not all trade agreements lead to higher economic welfare when some tariffs and preferential trade agreements deviate rather than create trade amongst nations. Trade was in effect the driver of regional integration at the time of his writing and became the anchor to assess effectiveness of regional integration. In this context, expectations of what the role of regionalism was about were defined by intra-regional trade in goods and services, and movement of people and capital, in the understanding that this trend would allow pathways to growth and poverty reduction through effects on prices, jobs, investment, and economic output (Viner 1950; see also te Velde et al 2006). To a large extent market governance rationality shaped region building in South America, often tied to US leadership in Inter-American relations (Fawcett and Hurrell 1995). Specifically, this was the case of the Southern Common Market (MERCOSUR) in 1991, grouping Brazil, Argentina, Uruguay and Paraguay (see Botto, in this Special Issue); the North American Free Trade Agreement (NAFTA) signed by the United States, Canada and Mexico in 1994; and the renewed impetus from previous projects like the Andean Community created in 1969. In these cases, it was expected that by loosening the restrictions on finance and trade, new market projects could enhance the capacity of states to manage the pressures of globalisation through regionalisation and growth opportunities (Phillips 2003).

In the first instance regional organisations across South America have opened agendas (and later restricted them to tangible goals), while offering specific policy guidance at regional levels. It is difficult to imagine how these outputs could have been achieved without a regional dimension. Despite the emphasis on trade, both the Andean Community and MERCOSUR made significant inroads into shaping a regional social agenda. For instance, cross-border projects on health, education and labour regulations were supported within the structure of both the Andean Community and MERCOSUR (Riesco 2010). In the Andean Community, two managing bodies, the Hipólito Unanúe Agreement and the Andres Bello Convention, were established to deal with common challenges in the areas of health and education, respectively (SELA 2010). In the case of MERCOSUR, the social agenda was introduced through cooperation in health, particularly in the area of transborder disease control and epidemiological surveillance in the triple border shared by Brazil, Argentina and Paraguay. This led to the creation of the Health Minister Assembly and the Health Working Group (GTS11), established in 1996 at a ministerial level for the discussion of health policy and strategies of surveillance (MERCOSUR Decision CMC No 03/1995). Regulations on pharmaceuticals for trade and joint health and safety inspections were also introduced in the work of the GTS11 (*ibid*, see also Riggirozzi 2014). Likewise, a general strategy to make the education systems across member nations compatible was established with two aims; to obtain the recognition of studies and the homologation of degrees in order to facilitate the mobility of students and professionals in the region, and to harmonise a system of accreditation and quality assurance (Perrotta 2014). These goals were institutionalised in a MERCOSUR education system (Sistema Educativo del Mercosur, SEM) which represents a regional space to foster the integration of educational sectors of member countries.[[1]](#endnote-1)

Moreover, we witness regionalists in South America exploit opportunities to reallocate or grow resources at the regional level and represent concerns at the international level. At the turn of the last century however a combination of economic difficulties, financial constraints and low levels of co-ordination for implementation and compliance affected the depth and pace of progress on regional social policy (Riesco 2010). In the end, neoliberal reform and the governance arrangements associated with it, including regional governance, unravelled, leading to a new spectrum of policy responses by widespread election of new Leftist governments (Grugel and Riggirozzi 2015). The new Left took office across the region – in Venezuela (1998), Brazil (2002), Argentina (2003), Uruguay (2004), Bolivia (2005), Ecuador (2006), Paraguay (2008) and Peru (2011) – promising mixed economies and a generally pragmatic combination of welfare and populist policies which reasserted equity and sovereignty as distinctive national and regional identities in South America (Sanahuja 2012). This shift in context paved the way for a new space for rebuilding the contours and the purpose of regional governance in Latin America, and with it agendas developing beyond primarily market-oriented, free-trade goals. The move to the Left across Latin America must not be simply seen simply as a political ideological swing but a recognition of political opportunity for new leaders to synchronise governmental policies. Broad political change resulted in moves to greater incorporation in multi-scalar regional projects while creating greater collective autonomy *vis-a-vis* external actors. Regional formations such as the Bolivarian Alliance for the Peoples of Our America (ALBA) in 2004, the Union of South American Nations (UNASUR) in 2008, the Community of Latin American and Caribbean States (CELAC) in 2011 are well documented (e.g. Riggirozzi and Tussie 2012; Sanahuja 2012). These formations provided a novel analytical perspective on modes of ‘post-hegemonic governance’ in Latin America (Riggirozzi and Tussie 2012). Although embryonic, new consensuses set regional boundaries beyond the economic, market-led rationale that has historically defined regional governance (and its kudos). In effect, new spaces for state and non-state actors’ actions meant that a new rhetoric about how regionalism could re-engage with the social question took centrality.

Although embryonic, these consensuses set new regional boundaries moving beyond the historical hub and spoke regionalism where the United States and the market formed a sole pillar into which South American regionalism had to reach. From this perspective, not only the notion of region is re-signified to reflect new spaces for state action; more fundamentally, this is leading to a new rhetoric about what regionalism *is* and *is for*. Engaging with this emerging debate, Riggirozzi (2014) proposes that regional governance is about setting normative parameters as much as creating spaces of co-operation for the design and implementation of policies at different levels of authority. Riggirozzi and Grugel (2015) analyse how Latin-American regionalism is shoring up rights, democracy, and managing the regional social deficit. In effect, new modes of mobilisation and coordination pushed the states of South America to redefine the nation state with inter-state coordination functioning to create a sub- regional political identity in terms of peace, security, social justice and development. New spaces and actions created a distance from the US in key issue areas (Riggirozzi and Tussie 2012) and brought a primarily social agenda back into the ambit of democratic government where social regional policy had been almost completely dependent on market needs. In South America for instance, MERCOSUR and UNASUR assumed new obligations in the area of ​​ health, education, and migration that are of particular interest for the study of the ‘social turn’ in regional governance and its legacy beyond trade.

These developments in scope mean that regional actors could also define problems, issue policy guidance, shape discourses, and increase the salience of issues. Two key illustrative areas of this social agenda have been health and migration. In the case of health, states subscribed to the Buenos Aires Charter on Social Commitment in MERCOSUR, Bolivia and Chile (2000); a framework that sets obligations towards the achievement of access to comprehensive health services This regional normative framework also stipulates the obligation of member states to improve the quality of life of their populations, with particular attention to the most vulnerable sectors in attainment of the right to health for all.

In addition, MERCOSUR’s Strategic Social Action Plan (PEAS) 2010 established the obligation to ensure access to and comprehensive quality of humanised health services, as a basic right. It develops coordinated strategies for the universalization of access to public health services; and scientific guidance and education on sexual and reproductive health, with a focus on reducing female morbidity and mortality. We can further trace how regional organisations represented local concerns at the international level. Of key relevance here is the obligation to promote and harmonise specific policies for indigenous populations and public health policies for women and early childhood care, articulating policies and promoting regional agreements that guarantee access to public health in border areas. Decision CMC 13/2014 promotes guidelines on gender equality policy. Other regional frameworks have been set to regulate organ donation and transplantation (DONASUR System -MERCOSUR Donation and Transplants Registry) and regional policies for epidemiological control to respond to spread of Dengue, Zika and Chikungunya (IPPDH 2016).

UNASUR has also committed itself to supporting effective social policy in member states since it was established in 2004 in Cuzco, Peru, based on three principal goals. Two were fairly standard: the promise to reinvigorate intra-regional relations 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. Here we identify how regionalism in South America produced opportunities for shared expertise that were maintained in special policy networks of time. Within this agenda, health became an issue-area carefully linked to the idea of socially and democratically responsive regionalism (UNASUR 2009; UNASUR 2011). In order to advance the agenda, UNASUR framed a Five Year Plan (*Plan* *Quinquenal*) in 2009 which outlined actions on five priority areas: (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 (UNASUR 2009). It also institutionalised 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 ‘supporting decision-making process and advocacy’ and ‘the formulation of UNASUR’s common external policies to back up negotiations in global and international agendas’ (Herrero and Tussie 2015).[[2]](#endnote-2) Despite political change diplomacy has been resilient in pressing regional agendas in some of these areas. In its institutional architecture UNASUR was conducive to a productive policy nexus between national policy arenas and expert engagement. ISAGS’ thematic networks and working groups have a been critical for implementing various projects combating HIV/AIDS; for training human resources for health; for supporting national health policies, and for the production of new technologies across the region. The Network of National Institutions of Cancer (RINC), coordinating cooperation amongst national public institutions across UNASUR member countries, developed cancer control policies and programmes and research in South America (Riggirozzi 2014; Agostinis 2019).

Both MERCOSUR and UNASUR contributed to a new way of conducting diplomacy that, perhaps because of a market-focus, created spaces for international competitive advantages for negotiating internationally access to medicines. For instance, MERCOSUR coordinated with UNASUR and PAHO mechanisms of joint purchase of medicines, as a (regional) buyer cartel, to reduce the prices of high-cost medications through either joint negotiations, pooled procurement, or both, reducing prices of high cost medicines such as antivirals, oncological and Hepatitis C (PAHO 2015; O’Keefe 2019). UNASUR developed a shared bank of prices in support of negotiations with international pharmaceuticals while securing representation in the World Health Organisation to present coordinated positions in the Annual Assembly between 2010 and 2015. This included successful discussions on the role of the WHO in combating counterfeit medical products in partnership with the International Medical Products Anti-Counterfeiting Taskforce (IMPACT), an agency led by Big Pharma and the International Criminal Police Organisation (Interpol) and funded by developed countries engaged in intellectual property rights enforcement (Riggirozzi 2015, 2017).

In the area of migration, responses to mobility and residence regimes led to new developments (Geddes et al 2019). For its part, the Action Plan for the Statute of Citizenship MERCOSUR (2010) set objectives for the implementation of policies in support of free movement of people in the region, equality of rights and civil, social, /cultural and economic freedoms for the MERCOSUR states. In this context, member states adopted regional norms that called for the right to free movement, the right to migrate, the non-criminalisation of migrants, and equal treatment of foreigners and nationals. The regime has allowed for the regularisation of almost [three million](http://robuenosaires.iom.int/sites/default/files/publicaciones/Cuaderno_9-Evaluacion_del_Acuerdo_de_Residencia_del_MERCOSUR.pdf) South Americans residing in the region (*ibid*). The signing of a Residence Agreement as regional legislation adopted by the Common Market Council back in 2002 facilitated this process and acted as a fundamental instrument in the regulation of territorial mobility, covering the movement of workers, as one of the pillars of the common market (Mondelli 2018). The MERCOSUR Residence Agreement has been recognised as pioneering new regional policies in support of mobility in South America (Acosta and Brumat 2020). The Residence Agreement has also been recognised as a successful normative framework enhancing access to rights of migrants in the region which proved to have institutional “lock-in” effects in national legislation and policies (*ibid*). The Agreement established that any citizen of a member state or associate member state may reside and work, as well as access other rights, for a period of 2 years in a host state. By 2017, just under 3 million residence permits had been granted under the agreement (*ibid*).

What all this suggests is that the value of economic integration or even institutional convergence is not the sole yardstick to assess the value of regionalism. The potential for regulation, contestation, cooperation and reworking of social policy dynamics and the impact of regional policy on societies in areas like health, migration and education need further recognition.

In general, critiques of South American regionalism have pointed to national-based interest and sovereignty trumping institutionalised commitments, and the absence of economic complementarity as a brake on the creation of an effective supranational integration. The result has been much scepticism and a quasi-campaign highlighting what Riggirozzi and Grugel (2015) identified as a ‘credibility gap’ explained by a proliferation of weak and sector-based regional agendas, and often overlapping regional organisations, that only supported erratic implementation of regional policies across Latin America (Gardini 2010; Malamud 2013). They blame this erraticism the absence of supranational binding mechanisms of policy enforcement, and of indications of policy impact (Phillips 2003; Malamud 2013).

Certainly, in Latin America regional organisations coexist with ideological frictions and situations where the same actors that give authority to regional organisations, that is governments of member states, also periodically and in reaction to ideological stands, may retrieve authority to regional organisations (Quiliconi 2017). This seeming paradox of legitimacy feeds the credibility gap of regional organisations in Latin America. This gap grew further since 2015 when a swing to the right in the Southern Cone meant that governments increasingly distanced themselves from, and halted operations of UNASUR.

It is indeed difficult in this more variable context for social scientists to differentiate the regional from the national, and fundamentally how social effects of regional policies could be identified. Any pronouncement on the credibility of regional policymaking is in fact weakened by the lack of institutional continuity identified by the paradox of legitimacy. But the point we emphasise here is that measuring success or failure in terms of institutional formation or legislative prerogatives can misguide any analysis of regional governance performance even in times of crisis. In fact, failures in regional governance are not always zero-sum; cross-border dynamics may find ways to advance policy and specific regional commitments, particularly in crisis situations. This became evident as Latin America is transitioning through the biggest health, and socio-economic crises as a consequence of the spread of Covid-19. Mercosur members have agreed as early as March 2020 to share information and statistics on the evolution of the coronavirus, as part of a common strategy to combat the pandemic, as well as to eliminate obstacles that could hinder or impede the transit and transportation of supplies and essential elements, such as food, hygiene and health care products. Soon after the Mercosur Structural Convergence Fund (FOCEM), committed funds for “Research, Education and Biotechnologies applied to Health” while US$6 million was made available to strengthen the virus’s diagnostic capacity, purchase of supplies and protection materials. Meanwhile, the UNASUR Network of National Cancer Institutes and Institutions (RINC), founded in 2011 as a regional hub in the fight against cancer was re-founded as Network of National Cancer Institutions of Latin America and the Caribbean (RINC-ALC) in October 2019 despite UNASUR being paralysed (Buonaguro 2019), emphasising the resilience of some networks of diplomacy we have alluded to.

Enhancing access to medicines, healthcare, education, rights of migrants and security are areas where concrete examples of modalities of regional policy making and implementation can be observed. Recognising these is a first step to developing a monitoring and evaluation system for these initiatives to disaggregate regional policy and to understand its nuance and significance in different contexts. We require this better organising framework that is inclusive beyond institutional relativism to identify when and how regional policymaking is used - and to what effect.

1. **Conclusion: Redressing the credibility gap and understanding the consequences of South American regionalism**

Regional policymaking faces challenges of implementation that cannot be interpreted in the same way as measures of national policymaking can. The South American case evidences delays linked to differences between national legislations and ratification of agreement, meaning that efforts to develop a social dimension in regional agreements were often incomplete or unevenly implemented across the region, with variable effects in and across societies. Nonetheless, regional organisations are increasingly developing a broad remit to make political decisions over an inter-state space and shared normative affinity. Regional policymaking can be assessed by the extent to which it moves regions from a baseline of uneven social policymaking in the direction of upholding recognisable social standards and rights.

Policy, at any level of decision making, requires acceptance of a problem insociety, and thus politically visibility in order for responses to become legitimised as part of the public agenda (Kingdon 1984). Of course, not all individuals, groups or communities have the same ability to problematise an issue and to push it onto the public agenda. Individuals, groups, or communities may have very different goals and aspirations, or simply unequal access to resources, including information and political systems. Policy scholarship is not immune itself to those forces. The effects of prioritising certain kinds of policy at the expense of others needs to also be recognised in the measures we use to investigate policymaking at the regional level. In the past two decades the European Union captured the scholarly attention that focused on policy effectiveness, impact and implementation of programmes, as well as expectations regarding EU cohesion policy and aid guidelines (Polverari et al 2016). And while many scholars have studied the implementation of decisions made by the EU (e.g. Duina and Lenz 2017, Thomann and Sager 2017, Tallberg 2016) less attention has been placed to formulation and implementation of decisions made by other regional organisations, except for impacts of trade and economic activity (see Sbragia 2008; de Lombaerde et al 2010). Intergovernmental regional organisations’ achievements in specific areas of policy remain overlooked, and so is the potential for regional policy development, all of which widens the credibility gap.

Much of the literature in regional policymaking has focused on problems related to input legitimacy and integration. More recently valuable work has helped better understand through empirical analysis the construction of legitimation strategies through networks of actors in international and regional organisation (Gronau and Schmidtke 2016), particularly non-state actors (Mace 2020). Still, very little has been said about whether and how to understand and compare the results of regional policymaking with a more expanded understanding of legitimate outputs as we propose above. Future research will be required to scrutinise and measure the gaps between policy formulated at the regional level and policy implemented on the ground. But, crucially, regional policymaking has other objectives in the form of convening and enabling opportunities for information sharing, training, and mutual learning that need to be measured in tandem with other goals. Increased awareness and evidence about an issue among regional networks can spark and support regional policy and the credibility of regional governance. The recognition and evaluation of regional policy impact will demand a shift in focus from what regional governance enables (actors and actions) to include the impact of actions and means to their outcomes in terms of people’s well-being. That will require developing indicators that can measure progress and that can contribute to policy effectiveness and shape agendas for further decisions, such that citizens can recognise where regional policymaking contributes to improved well-being.

The post-hegemonic regional formations associated with left governments have not sustained as the South American region shifted to the right. The left turn shared a regionally expressed political framework based on social progress, employment and distribution, hand in hand with the distancing of trade and free trade rules. Today that agenda has lost its vigour as a new cycle of ideological and political splits between South American presidents deepens and with it the credibility gap of the regional organisations. The change in the political cycle revived differences and detachment among countries such as Argentina and Brazil while the social dimension of regional cooperation lost momentum to new economic priorities and alliances. But even if integrationist ambitions and dynamics face challenges it is possible that new regional opportunities find ways to advance debates and practices in specific areas. A decade ago, UNASUR and Mercosur allowed coordination and cooperation in the face of the health crisis, as well as a joint strategy for the purchase of medicines. Today, in the race for the production and acquisition of the Covid-19 vaccine, the imperative of social, humanitarian, environmental and resource crises demand more not less regional governance. It is possible that different configurations of regional formations may (re)emerge, even with overlapping agreements (Garzón and Nolte 2018) as we have shown, especially given the impact of the probable recession that will hit developing countries post-pandemic. That is why we argue that regional policymaking should be assessed through a plurality of political logics, not easily reducible to a single rule or expression of economic integration.

In this paper we took a critical approach to show that a ‘credibility gap’ based on input legitimacy disproportionately overlooks some merits and achievements of more fluid forms of regionalism that have taken hold in recent decades. We make this case by focusing on regional social policies in inter-governmental organisations in South America and argue that any understanding and measurement of policy impact will require a suite of policy indicators that make sense not only for different types and levels of institutionalisation, but across varying domains of regional policy. We argued in particular that in assessing regional legitimacy observers need to look for the capacity for agenda setting and the creation of normative frameworks; the allocation of resources (technical and financial) in order to create/sustain public support; and the enabling of new dynamics of representation and diplomacy. We suggest that it is possible that these kinds of impacts of regional organisations can serve the purpose of comparing regional formations across the globe, for which more empirical work is needed in future research. Otherwise, lack of understanding of the impact of regional policy risks trivialising whatever progress in regional policy might be made and, critically, affects the legitimacy and credibility of regional governance.

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2. See also UNASUR Declaration CSS 05/2009 [↑](#endnote-ref-2)