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Regional Governance in Latin America: The More the Merrier?

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Abstract

Latin America regional governance is characterized by institutional complexity, largely the consequence of overlapping membership and mandates. The dominant view that overlap in Latin American regional organizations is problematic warrants further investigation. This article explores instances of overlap and parallelism within Latin American regional governance institutions to argue that growing complexity may be associated with normative progress. The article offers a portrait of overlapping regionalism based on data from the Regional Organizations Competencies Dataset (ROCO). The analysis confirms: institutional overlap has increased since 1945; it identifies the critical junctures that catapulted this process which is loosely associated with normative progress.

Keywords: Regional governance; Institutional complexity; Liberal International Order.

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Introduction

The year 2023 was a benchmark in Latin American politics, with the inauguration of new presidents in several countries, including Brazil and Argentina. Newly-elected incumbents may depart from the skepticism that has dominated Latin American regionalism in the recent past to embrace a more proactive approach to regional cooperation. This article engages with the recent scholarship on institutional complexity to analyze regional governance, with the goal of informing this window of opportunity to rethink regionalism. The focus is on Latin America, where common wisdom sees overlapping regionalism as problematic. The overlap of regional institutions constitutes one of several forms that institutional complexity may take. For the purposes of this analysis, institutional complexity expresses

itself through the overlap of mandates as well as through the density of membership. In Latin America, institutional complexity can be observed through the existence of regional organizations that have jurisdiction over the same issue, what the literature labels overlapping mandates. Institutional complexity is also observable through the density in membership, wherein states belong to several regional organizations.

In Latin America, overlapping regionalism has been criticized as wasteful, inefficient and borderline ill-intentioned. In reality, researchers have not settled on the “net-value” associated with overlapping regional organizations. This article chronicles an emerging notion that complexity may not be as bad, after all; some argue that overlapping regionalism can even have positive consequences. The question remains: under what conditions overlapping regional organizations is associated with Pareto superior outcomes? Moreover, what are the mechanisms that link overlap to the observed desirable consequences?

The answer to these questions demands a deeper understanding of the architecture of regionalism in Latin America in order to reveal trends in overlap throughout time. The article builds on recent efforts by the scholarly literature and offers a portrait of overlapping regionalism based on data from the Regional Organizations Competencies Dataset (Panke and Stapel 2023a). The analysis confirms that institutional overlap has increased since 1945. Answer to the second question, which seeks to analyze the mechanisms that link overlap to observable institutional output, requires a deep dialogue with the literature on regional governance in Latin America.

In order to address these questions, the article retrieves the literature on Latin American regionalism as well as the literature on institutional complexity. The focus is on the more recent scholarship, as the phenomenon of institutional complexity in international politics has been on the radar of political analysts since at least 1998 (Aggarwal 1998). It is important to disclose what the article does not do as well. This is not an exhaustive literature review; rather, the effort here is to document a specific debate on the pros and cons of institutional complexity with respect to regional organizations in Latin America. Moreover, I seek to emphasize the mechanisms that underlie the associations documented by the literature, in light of very recent scholarly developments. This reflection on Latin American regionalism may subsidize future comparisons with other regions of the globe. Moreover, the article seeks to contribute to the analysis of complexity within specific issue areas – as these areas present different challenges for collective action.

Latin American Regionalism

Latin America is a region where international institutions are numerous and complex. This complexity is largely the consequence of overlapping mandates and the density of membership.¹

¹ Density of membership refers to a ubiquitous phenomenon in contemporary regional governance wherein states belong to two or more regional organizations, which have jurisdiction over at least one similar issue.

The absence of a regional hierarchical governance structure also contributes to a diagnosis of complexity. With respect to institutional complexity, comparativists and scholars of regional integration have documented a high level of overlap amongst Latin American regional organizations. The emphasis has been on overlapping membership (Long and Schulz 2022; Malamud 2018), but research has analyzed overlap in mandates as well (Panke and Stapel 2022; Nolte 2018; Gómez-Mera 2015).

Latin American countries have also taken a protagonist role in several areas of international politics, not least when it comes to institution building and regional governance (Long and Schulz 2022; Tourinho 2021). This protagonism has been overlooked by international relations scholars and historians until recently. The study of Latin American regional organizations has suffered from a similar bias, as the metrics against which these institutions have been assessed are informed by processes rooted fundamentally in European history (Nolte and Weiffen 2021; Malamud 2018). Without denying the influence of the post-World War II European project of regional integration on the ideas that informed Latin America's own experience with regionalism, in this article I analyze the Latin American project as a unique phenomenon. As such, it has distinct objectives, a particular trajectory, and its own institutional means to reach (ever) more nuanced goals (Conran and Thelen 2016). Latin American countries were the protagonists of a regional integration initiative that bears less in common with its European counterpart – at least when we consider the dominant view in the literature. If we accept the view of a Latin American protagonism with respect to regional integration, it should come as no surprise that institutional complexity is a dominant feature of Latin American regionalism.

Overlap, together with parallelism and nesting, are common features of international institutions. The literature on institutional complexity proposes that parallel, nested and overlapping institutions constitute a ubiquitous phenomenon in international politics (Alter and Meunier 2009). Regional organizations are no exception. Indeed, these three proposed indicators of institution complexity showcase an arrangement that may impact outcomes in a positive way; they are also observable and subject to measurement (Eilstrup-Sangiovanni and Westerwinter 2022; Alter and Meunier 2009). The upfront argument that overlap in Latin American regional organizations is problematic warrants further investigation, regardless if it is the case of overlap in membership or mandates (Panke and Stapel 2022). This article is a step in this direction. The article proceeds to analyze institutional complexity in Latin American regional organizations. This overview of Latin American regionalism develops in six sections: Section 3 discusses the pessimistic view that dominates the literature on comparative regionalism and international relations, according to whom the Latin American experience fails the test when compared to the European Union project. A more agnostic strand of the literature, and less Euro-centered, still associates complexity with ineffectiveness. Section 4 chronicles the few contributions that associate institutional complexity with positive outcomes. This section also examines the mechanisms that link complexity to the observable consequences; I argue that this toolkit can be mobilized to investigate the impact of institutional complexity on Latin American regionalism more closely. Section 5 provides an overview

of regional governance in the Americas, based on data from the ROCO dataset. Section 6 elaborates on regional governance institutions as an expression of the Liberal International Order (LIO). A portrait of Latin American regionalism would not be complete without the contextualization of this process vis-à-vis the architecture of global governance in the aftermath of World War II. To that effect, Latin American regional organizations are subject to some of the same contradictions embedded in the LIO (Lake et al. 2021). These internal and external pressures are discussed, in order to illuminate the ultimate purpose of regional organizations in Latin America, which may or may not coincide with their stated objectives. In section 7, I argue that the resultant of the interplay of these internal and external pressures often produces institutional complexity. In this process, complexity may be associated with normative progress – an evolution of interpretations, practices and understandings that corroborates principled governance. A final section concludes and presents avenues for further research.

Institutional complexity and Latin American regional (dis)governance

In 2016 there were 47 regional organizations in the Americas, of which eight were “broad” and ten were “medium” in scope (Eilstrup-Sangiovanni 2020). These eighteen regional organizations that meet the formal definition of an international governmental organization do not exhaust the universe of institutions that are relevant for regional politics. For example, the Union of South American Nations (UNASUR in its Spanish acronym) and the Community of Latin American and Caribbean States (CELAC in its Spanish acronym) are not among the group of 18, because they fail to meet one or two of the definition criteria. This admittedly crude overview of the architecture of regional governance reveals ample room for institutional complexity, even if we discount the complexity-generating potential of narrow-scope organizations.² The literature on regionalism and on institutional complexity has, accordingly, seized the problem and attributed much of the “lack of success” of the Latin American initiatives toward economic integration to institutional overlap. Overlap of membership, or the participation of states in a myriad of different organizations, as well as overlap in competencies, have been labeled as “culprits of dis-governance.” Andrés Malamud most clearly enunciates and analyses the adverse consequences of overlapping institutions for the goal of regional integration. Malamud goes as far as proposing that ill-intentioned (though not empirically validated) political elite traits, would be ultimately responsible for the growing gap between Latin American organizations on one hand, and their stated goals and objectives, on the other hand (Malamud 2018). Nicolàs Comini and Alejandro Frenkel take a more rigorous approach in their analysis of UNASUR, but remain equally skeptical of the consequences of complexity, as a by-product of

² There are twenty-eight narrow scope organizations in Latin America, according to the DIGO dataset (Eilstrup-Sangiovanni 2020). Even though their potential for generating complexity is arguably smaller, it is not null.

overlapping membership (Comini and Frenkel 2021). Along the same lines, Andrea Hoffmann's analysis of MERCOSUR paints a pessimistic scenario and remains attached to the European Union-informed metrics of economic integration (Hoffmann 2021).

This literature shares the view according to which regional integration initiatives should be gauged against their own stated objectives and proposed goals. This is a standard view of compliance with international commitments. But it is not the only one! The scholarship on state compliance with International Law offers a helpful template, when it comes to assessing and comparing obstacles for attaining agreement specific objectives and goals. The parallel rests on the notion that regional integration initiatives rely on political commitments in the same way that compliance with International Law requires the will of the state. Ultimately, international norms and international courts lack the ability to enforce norm content and judicial decisions based on these norms. International Law relies primarily on domestic law and courts to reach effectiveness (Simmons 2009; Hillebrecht 2014). The nature of the problem and shifting domestic political preferences often influence the decision as well as the timing of compliance (Alter and Raustiala 2018; Mitchell 2006; Downs 1998). The same order of factors is likely to impact a decision by a state to follow its own commitments toward regional cooperation. Therefore, the stated objectives and proposed goals are not necessarily the best metric to assess the performance of regional organizations. Rather, we should look beyond ROs and their set-in-stone mandates to analyze the impact of regionalism vis-à-vis a broader agenda of cooperation and regional politics.

Work by Diana Panke and Sören Stapel has shifted the focus from an RO-centered analysis to embrace a state-centric investigation of the motivations behind institutional complexity. The authors argue that overlap may be a deliberate choice in order to meet states' needs, as a function of states endowments – or whether a state is more powerful in relation to the others (Panke and Stapel 2022). Their study corroborates a concern that institutional complexity would favor powerful states (Drezner 2009). By disaggregating overlap in policy competencies from overlap in IO membership, Panke and Stapel are able to study the rationale for these two forms of institutional complexity separately.³ Nevertheless, they remain skeptical of the consequences of complexity for regional governance. For instance, according to the authors, power disparities may be reinforced by growing complexity; they are also concerned with the diffusion of adverse consequences associated with complexity to other policy arenas (Panke and Stapel 2022, 15). Thus, institutional complexity remains loosely associated with ineffectiveness, dis-governance, and crisis (Panke and Stapel 2018).

An investigation of a specific form of institutional complexity that involves nested organizations finds that UNASUR constitutes a case of nesting with respect to the Organizations of American

³The authors collect data on IO membership and competencies for the period 1945-2020 and show for instance that overlap in competencies started to grow much faster than overlap in membership from 1995 on. Taking 1995 as a base year, overlap in competencies grew roughly twice as fast as overlap in membership (Panke and Stapel 2022:19).

States. Detlef Nolte analyzes the consequences of this instance of nesting over nine Latin American crises and concludes that there is mixed evidence of the positive consequences of complexity. In a few instances, these nested organizations advanced norms and standards while in other instances norms were weakened. Along the same lines, nesting worked to resolve a stalemate in five of the nine crises studied, but in one other instance the blockade itself resulted from the interplay of the two nested organizations (Nolte 2018, 147).

Decades of scholarship on Latin America regional governance organizations reinforce the frustration with the accomplishments of these institutions. The scholarship criticizes the regional governance architecture in Latin America for not fulfilling their objectives, for their lack of autonomy vis-à-vis member states, for their shortcomings with respect to supra-nationality -- and not least, for their failure to emulate the hierarchical features of the European Union. A more agnostic look at the complexity grid associated with the architecture of regional governance in Latin America is in order. The next section embarks on this analysis.

The Latin America complexity paradox

It is somewhat counter-intuitive that several of the same institutions that are silos of complexity perform surprisingly well at times of crises. This is the main finding of Agostinis and Nolte's (2023) article, where the authors explore the sufficient conditions for five Latin American regional organizations overcoming a crisis.⁴ The authors focus on the nature of the conflict at the heart of the crisis, if normative or distributive, and the decision-making rule of the regional organization involved. For seven out of the eight cases, the presence of distributive conflict and majority rule was associated with the successful resolution of the crisis (Agostinis and Nolte 2023). Detlef Nolte (2021a) corroborates this view of overlapping regionalism in his analysis of the Pacific Alliance as well.

The performance and resilience of Latin American regional organizations appears to be influenced by the nature of the problem and by institution design elements (Koremenos et al. 2001). For example, when confronted with a new context – as opposed to the one that characterizes the problem that the institution was designed to address – a regional organization may succumb. This is the explanation more recently offered for the demise of UNASUR (Nolte and Mijares 2022).

Fundamental changes in circumstances are relatively rare phenomena in international politics. Thus, institutions of regional governance should survive – most of the time. Their survival is not contingent on the fulfillment of their stated goals and objectives, as I will elaborate further in the following sections. Rather, as Tom Long and Carsten-Andreas Schulz argue, institutions evolve and

⁴ The authors use a QCA approach to study eight cases wherein the five regional organizations were the main protagonists (Agostinis and Nolte 2023, 10).

often in an expansionary manner, to widen their mandates in a compensatory fashion. The broader institutional mandate is yet another form of complexity, enacted through the juxtaposition of new layers, new competencies (Long and Schulz 2022; Panke and Stapel 2022). These new competencies often encroach upon the institutional mandates of preexisting organizations. But unlike Diana Panke and Sören Stapel, for Tom Long and Carsten-Andreas Schulz increased complexity is a strategy for organization survival and a vital element of the political dynamic amongst differently endowed member states. This somewhat (more) optimistic view of complexity is reinforced by Benjamin Faude and Felix Gröbe-Kreul, for whom “(...) the proliferation of regime complexes represents normative progress in global governance” (Faude and Grobe-Kreul 2020, 431).

Along the same lines, Detlef Nolte pioneered an inquiry into the form and consequences of overlapping regional organizations, with a focus in South America (Nolte 2014). For Nolte, regional governance complexes can be conflictive and segmented, but they can also be synergistic and cooperative! In his 2014 comprehensive analysis of the South American regional governance complex, cooperative arrangements prevail. Interestingly, in two specific organizations cooperation is the end-result of overlapping membership and mandates: CELAC and UNASUR (Nolte 2014, 16). Nolte also raises the importance of distinguishing between *de facto* and *de jure* overlap. In his 2018 article, he chronicles instances where *de jure* overlap has little to no consequences because it does not translate into concrete juxtaposition of mandates or membership. For this reason, the author proposes that institutional complexity in regional governance should be approached as an empirical question. To that end, Nolte sets a threshold to analyze overlap: it departs often from *de jure*, but it must entail a *de facto* overlap of at least two regional organizations. In revisiting this 2018 article there is other criteria for case selection: overlapping organizations should be involved in the mediation of an international crisis. The article observes the Organization of American States (OAS) and the Union of South American States (UNASUR) over nine international crises. The discussion reveals mixed results with respect to the five hypotheses that seek to explore the costs and benefits associated with complexity in regional governance institutions (Nolte 2018, 147). The take away message sheds light on two aspects of institutional complexity. First, even in hard cases -- such as the nine instances of a crisis that has potential consequences for regional security, complexity may be associated with positive outcomes.⁵ Second, the omnipresence of *de jure* overlap does not necessarily translate into *de facto* overlap, therefore scholars of regionalism that are skeptical of overlapping institutions may be overestimating the size of the problem.

On one hand, overlapping regional governance institutions may embed a productive architecture -- whereby complexity is associated with more effectiveness with respect to the organization's goals and objectives or even with outcomes beyond these goals and objectives. On the other hand, overlap results from a deliberate institutional design choice by regional actors; to that end, it constitutes an instance where a community of states gathers to give shape

⁵ For Nolte, a positive outcome corresponds to the resolution of the crisis.

and form to a set of preferences. To borrow from Marcos Tourinho, this protagonism qualifies as an instance of co-constitution of the international order, not least, of the Liberal International Order (Tourinho 2021).

In the case of Latin American regional organizations, complexity runs parallel to the hierarchical model and the institutional architecture of the European Union. While the EU model evolved in the direction of supra-nationality, through a marked hierarchical template, in Latin America regional organizations preserved member-state autonomy and embraced a more flexible institutional design. Rather than criticizing the Latin American regional governance complex as incomplete and underdeveloped, in this paper I entertain the idea that institutional malleability is a deliberate choice by states. In this sense, it emulates the pattern of Latin American protagonism in the development of international human rights and other democratic governance institutions that enacted core values of the Liberal International Order (Alter 2022; Tourinho 2021; Long and Schulz 2022; Carneiro and Monteiro 2023).

Regional governance and the Liberal International Order

Regional governance and its central vector – regional organizations – are key components of the Liberal International Order (LIO). Regional organizations give life to economic liberalism principles and contribute to promote liberal internationalism through the adoption of principled governance (Lake et al. 2021). An overview of regional economic organizations in Latin America together with organizations dedicated to the protection of human rights illustrates this assertion. Nevertheless, as David Lake, Lisa Martin and Thomas Risse demonstrate, there is little to no intersection between these features of the LIO and the long-lived Westphalian Order, rendering it vulnerable terrain when it comes to contestations of the LIO itself (Lake et al. 2021, 5). Put simply, the goal of trade liberalization based on the principles of national treatment and most favored nation, otherwise the free movement of goods and capital, is at odds with the notion of state's sovereign authority over territory (Schneider 2017). Alongside, the protection of human rights within the jurisdiction of a sovereign state by regional organizations also encroaches heavily on state sovereignty (Börzel and Zürn 2021; Börzel and Risse 2021).

The extent to which the tension between the LIO and principled regional governance affects the resilience – and ultimately the survival – of regional organizations is well explored by Nicolás Comini and Alejandro Frenkel in their analysis of UNASUR. The authors discuss the convergence of systemic, regional and domestic factors that contributed to crystalize a dormant schism embedded in UNASUR's institutional design (Comini and Frenkel 2021). Ultimately, the stress factors mobilized to account for the demise of this regional organization reclaim the authority of the sovereign state and depict a growing tension between the LIO and the Westphalian Order.

UNASUR is but one example of a regional organization that was caught in the middle of the crossfire between state sovereignty and principled governance. It will be interesting to see whether the former will prevail, with the possible “comeback” of this instance of inter-presidentialism (Legler 2023). If on one hand, more personal forms of regional governance are by definition elusive and personalistic, on the other hand these can (and often) coexist with more institutionalized forms of regional governance. Thus, it is important to look at the architecture of regional governance in order to map the terrain wherein different forms of cooperation coexist -- i.e., the more personalist and the more institutionalized.

Personalistic and fluid forms of cooperation, such as inter-presidentialism, may be more distant from the ideal type of “principled-governance” envisioned by the Liberal International Order. These forms of cooperation may be more efficient in reaching their stated goals precisely because they are more in line with the principles of the Westphalian order; heads of state convening to pursue their own cooperative agenda, traditional diplomacy, state-to-state summitry. More institutionalized cooperation, on the other hand, fulfills the mandate of the Liberal International Order in as much as it demands some delegation of state sovereignty to regional organizations. This is at the heart of what the LIO refers to as “principled governance.” It is “principled” in the sense that this form of governance is oriented by principles derived from the Liberal International Order; these principles may or may not coincide with the sovereign interests of the state at a given point in time. If there is a conflict between a LIO-informed principle and the sovereign interest of the state, we face tension between the LIO and the Westphalian order. In the case of Latin America regionalism, it is seldom the case that this tension was resolved in favor of the former. Rather, recourse to the Westphalian order by states creates barriers to the operation, the effectiveness, and ultimately the very survival of regional organizations.

So far, this section has addressed instances of regional governance where the leadership has the protagonism and instances where regional organizations take the lead. But oftentimes there is overlap between these two types, constituting what herein is referred to as one form of overlap in regional governance. As the analysis in the previous section demonstrates, there is growing skepticism toward the view that overlap in regional governance is always counter-productive and should be avoided at all cost. This skeptic view has gained support with respect to overlapping regional organizations in Latin America, in the case of mandates as well as regarding membership. There is, therefore, a renewed interest for mapping the evolution of regional organizations and their mandates. The next section provides an overview of regional governance in the Americas in light of an impressive undertake by three scholars and their work to produce a database that showcases regional organizations in the world, from 1945 to 2015. The 76 regional organizations that make up the database can be seen as backbones of the institutional architecture that brought the Liberal International Order to life, from 1945 onward.

Overview of regional governance in the Americas

Diana Panke and Anna Starkmann (2019) define regional organizations as follows:

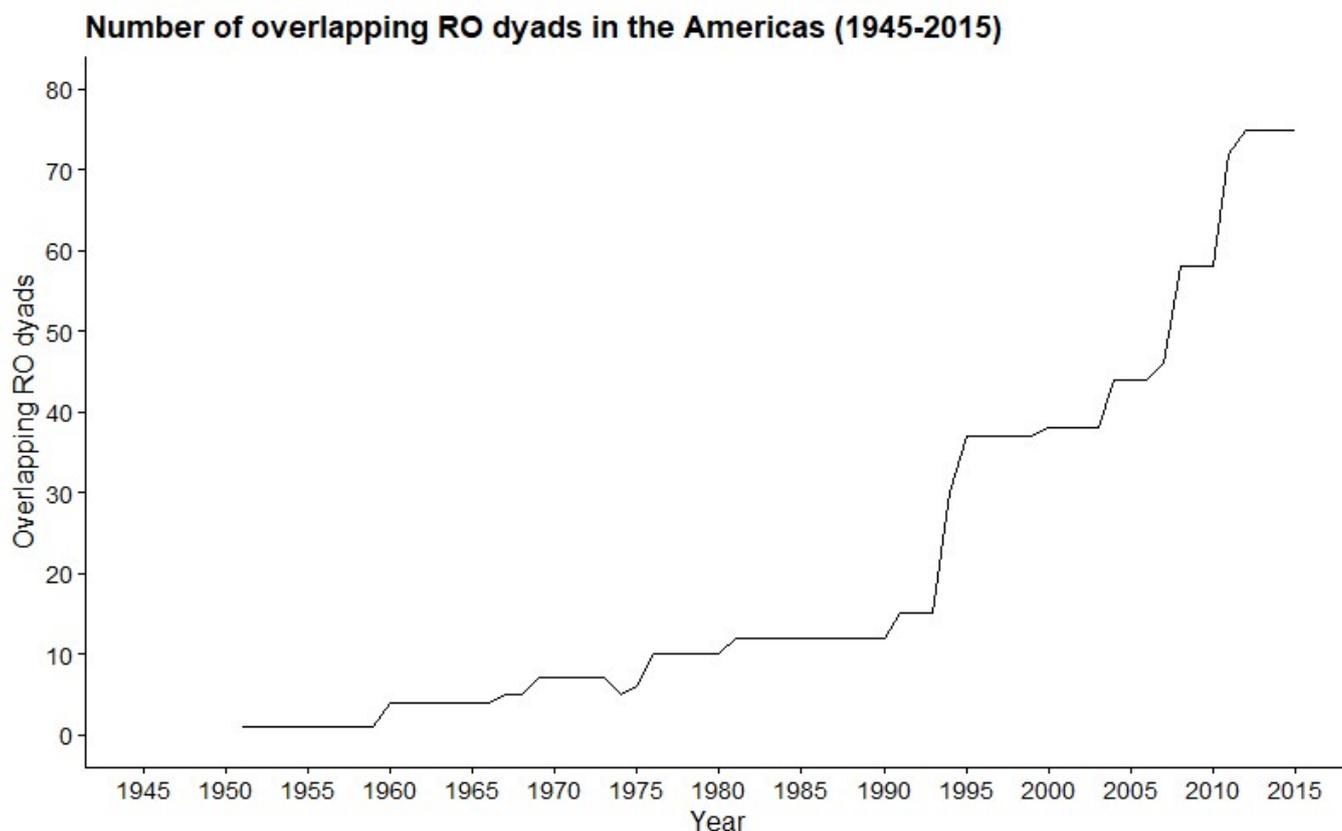
ROs are defined as institutions (with a set of primary rules, and headquarters or a secretariat) in which at least three states cooperate with one another in more than one specific issue.

Panke and Starkmann's effort to gather all regional organizations that meet the definition in the previous paragraph produced the Regional Organizations Competencies dataset (ROCO). The database gathers information on 76 regional organizations across the world, for the years 1945 to 2015. The focus of the project is on institutional complexity with respect to overlapping mandates, thus the database provides information on the mandates of these regional organizations as they incorporate a subset of 11 policy areas.

In a recent article, Diana Panke and Sören Stapel mobilize original data on regional organizations to analyze patterns of cooperation amongst them. Their focus is on regional organizations, for which the dataset gathers information at the regional organization dyad level. The authors are able to document instances of overlap in membership and competencies simultaneously (Panke and Stapel 2023b). For this article, the authors extended ROCO's temporal coverage to 2020 and made available information on instruments of cooperation (Inter-organizational Cooperation Agreements dataset - IOCA). In their own words,

Our dataset covers the period between 1945 and 2020 for the subset of 73 IOs with regional membership and entails 10,461 observations of overlapping IO dyads, which share at least one member state and are equipped with at least one identical policy competency at the same time (Panke and Stapel 2023b, 3).

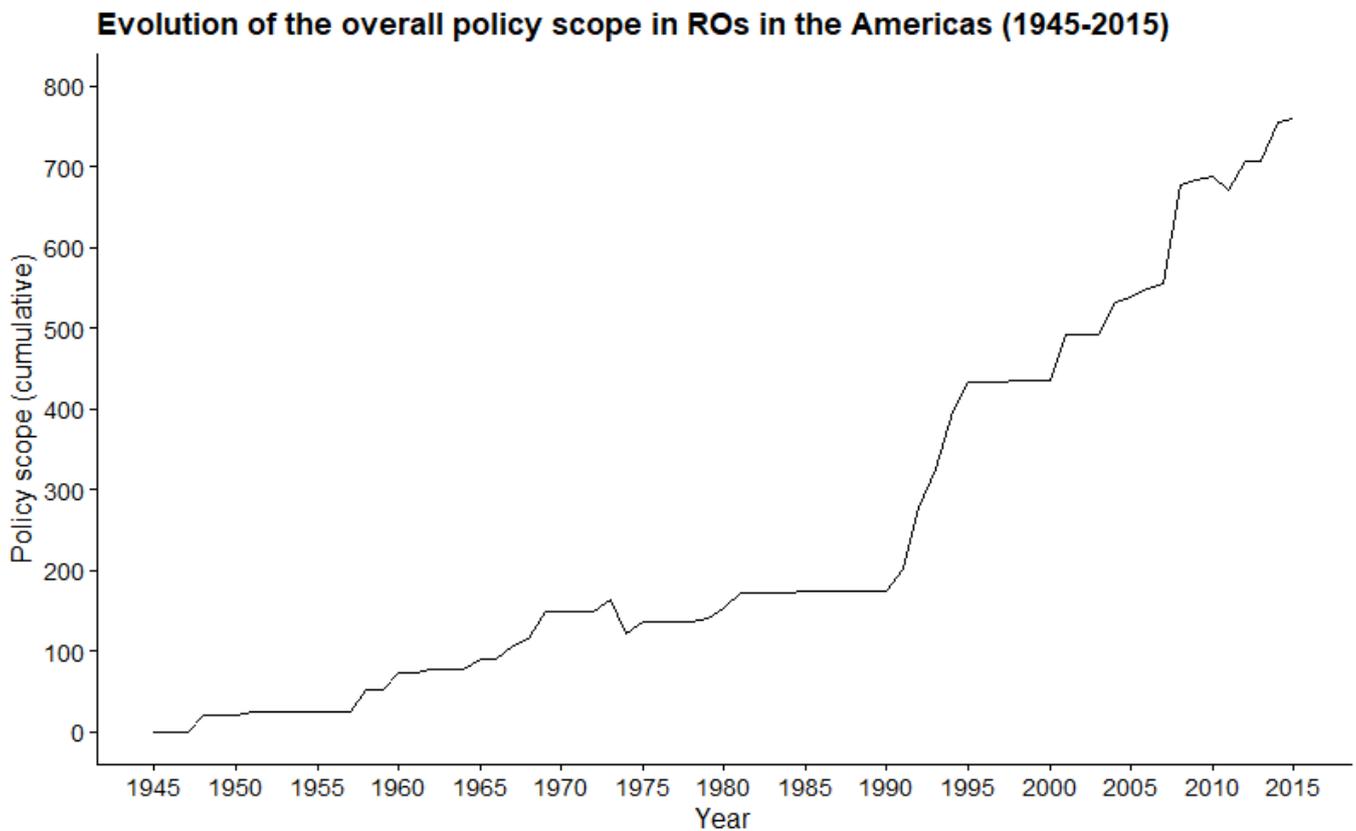
The replication files associated with this article allowed us to produce the following graph, showcasing the evolution of overlap in regional organizations in the Americas. There is a clear trend of growing overlap, herein defined alongside the concept proposed by Panke and Stapel: IO dyads that: 1) share at least one member state, and 2) encompass at least one competency, at the same time.

Figure 1 – Number of overlapping RO dyads in the Americas (1945-2015)

Source: Based on data from the Inter-organizational Cooperation Agreements dataset - IOCA (Panke and Stapel 2023a).

Figure 1 shows the evolution of overlap (membership and mandate) in the Americas between 1945 and 2015. There is a clear trend upward, which starts roughly in the early 1950s and continues to grow. After the end of the Cold War, the rise in overlap is steeper, revealing a critical moment for international organizations that I will analyze more closely in the following graphs, with respect to the Americas. The same pattern of growing overlap in regional governance is documented in a separate empirical contribution by Panke and Stapel (2023b).

The figures below use data from ROCO to present the evolution of regional organizations in the Americas with respect to their respective competencies (scope), throughout time. The goal is to look for patterns and cleavages that can yield insights with respect to regional governance, as an expression of the Liberal International Order. Figure 2 brings the overall evolution of the scope of regional organizations in the Americas for the years 1945-2015. The graph displays a cumulative measure of the increase in scope throughout the period, with respect to the 11 policy areas embedded in the database. Note that unlike Figure 1, here the overlap derives from competencies alone. In other words, more than one regional organization invested with the same competency (or mandate).

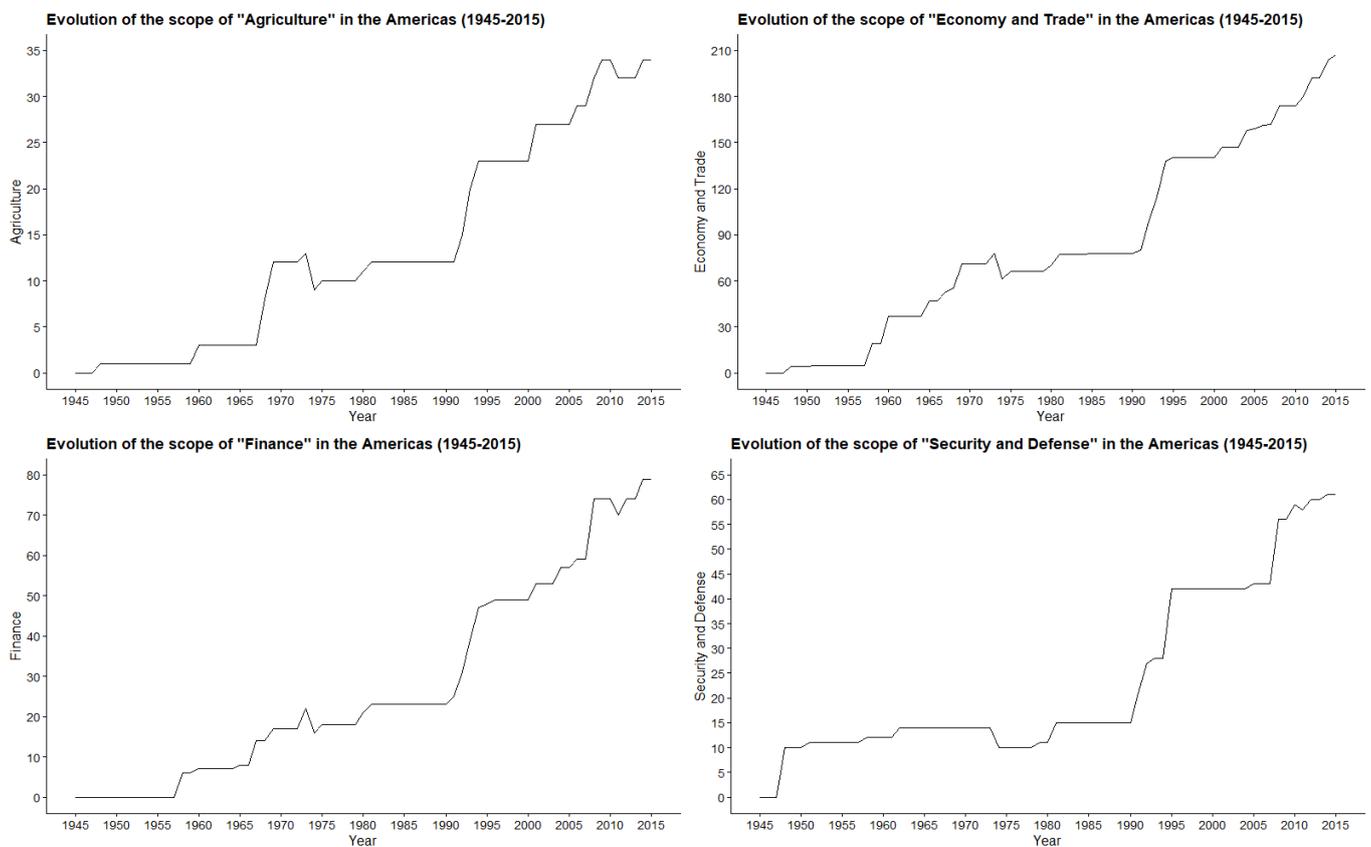
Figure 2 – Evolution of the overall policy scope in Ros in the Americas (1945-2015)

Source: ROCO Dataset (Panke and Starkmann 2019)

The broadening of the scope of regional governance is evident, and so is the inflection that the end of the Cold War produces. The year 1991 marks a sharp acceleration of the increase in scope. The next figures will show that the increase in scope is not equally distributed across issue areas. The four graphs in Figure 3 correspond to data on scope within different areas. Here, the increase in scope precedes the end of the Cold War. These are policy arenas that qualify as primary concerns for the states involved, as they relate to security and defense, to economics and trade, to finance, and to agriculture. I argue that these arenas are quintessential for political survival and often translate into mechanisms designed to reward a leader's winning coalition (Mesquita et al. 2001). It comes as no surprise that states coalesce around regional organizations that will coordinate to guarantee these goods.

The end of the Cold War also impacts the broadening of scope in these issue areas. But unlike policies such as good governance and migration, that I analyze below, for these four areas of international politics the year 1991 is preceded by a sizable amount of regional cooperation. The choice to cooperate in these four areas starts right after the end of World War II, with noticeable initiatives to create regional organizations to deal with security and defense. Around 1960 these initial efforts are strengthened by initiatives in other three issue areas, namely agriculture, economics and trade, and finance.

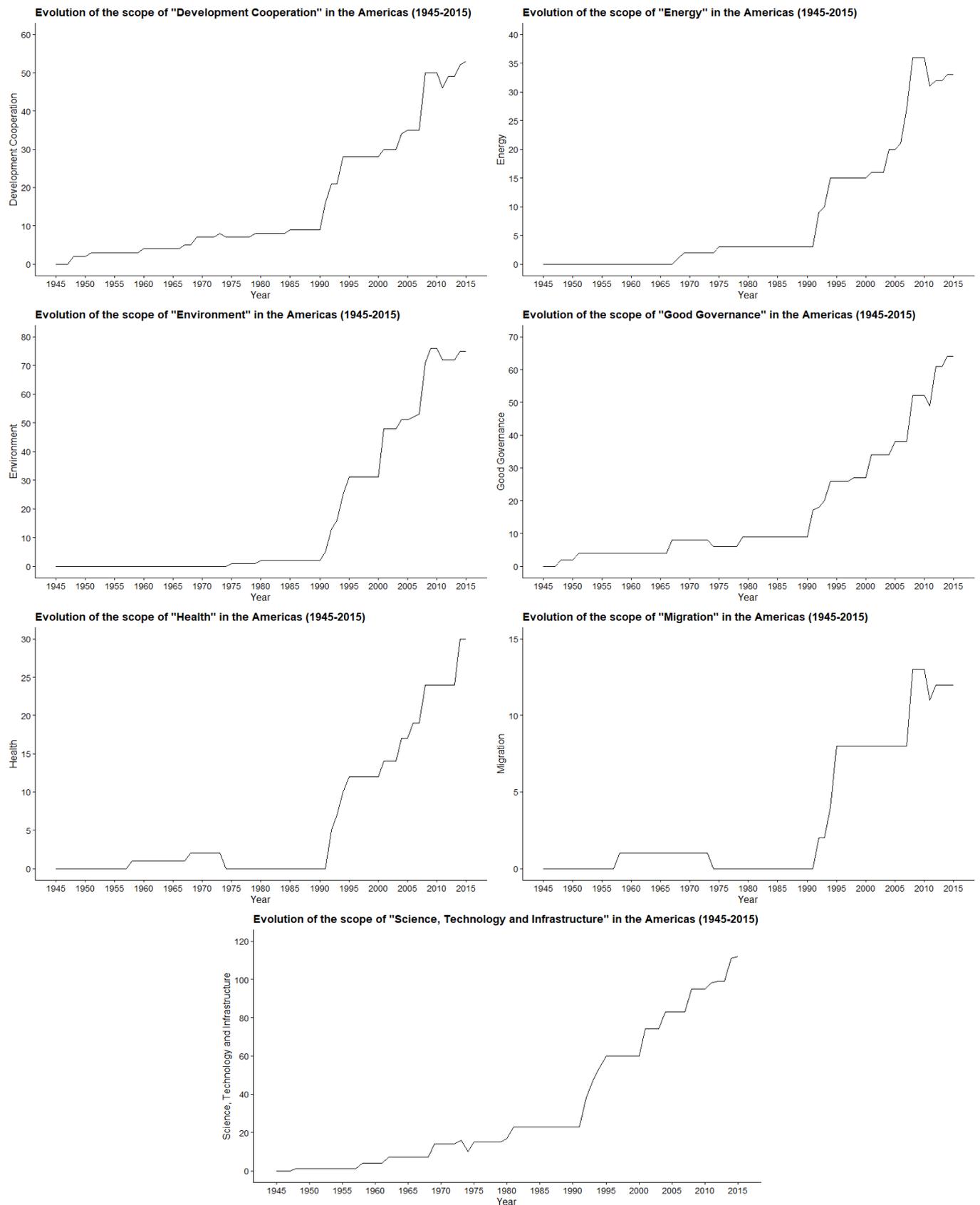
Figure 3 - Evolution of scope of agriculture, economy and trade, finance, and security and defense in the Americas



Source: ROCO Dataset (Panke and Starkmann 2019)

To complete the empirical overview of the evolution of regional organizations in the Americas with respect to scope, Figure 4 brings graphs that showcase the growth in scope of the remaining seven issues captured by the ROCO dataset. Unlike the four areas presented above in Figure 3, almost all the issues covered by Figure 4 first come under the umbrella of regional organizations after the end of the Cold War, with the exception of a few organizations that emerge throughout the 1970s and 1980s. The sharp increase in scope after the end of the Cold War is clearly noticeable. In most cases, up until 1991 there was no regional organization in charge of that particular issue, as the lines for “environment,” “health,” and “migration” are equal or close to zero. The other four issue areas witnessed a timid development prior to 1991, as the number of regional organizations dealing with these issues never went above 10 (development cooperation, good governance, STI, and energy -- the latter just barely.) Overall, these seven issue areas share a common trait: they are related to the provision of third generation public goods. As such, the organizations charged with these mandates were asked to supply diffuse goods, with the accompanying challenge of promoting cooperation amongst self-interested actors involved in the provision of public goods or common pool resources.

Figure 4 - Evolution of scope of development cooperation, energy, environment, good governance, health, migration, and science, technology and infrastructure (STI) in the Americas



Source: ROCO Dataset (Panke and Starkmann 2019).

In the Americas, the evolution of regional governance with respect to scope follows a clear pattern. During the Cold War years, regional organizations were established to deal with issues closely related to the protection of the state and of the immediate interests of a small coalition of individuals. This pattern suggests that the Cold War imposed obstacles to the development of principled governance, one of the key principles of the Liberal International Order. With the fall of the Berlin Wall, a renewed sense of international security together with a higher level of interaction amongst states and civil society led to a boom of regional organizations (ROs). The new generation of ROs were catalysts for cooperation in themes that were not traditionally thought of as areas of international cooperation, such as migration, good governance, public health, and the environment. Regional organizations were seen as the solution to the dilemmas of collective action embedded in these issue areas. As I argued above, the institutional complexity generated by the expansion of the architecture of regional governance in Latin America advanced a substantive agenda associated with the Liberal International Order that could not have prospered otherwise. This development suggests that overlap in membership and mandates is associated with normative progress, as Faude & Gröbe-Kreul propose in their 2020 article. This view of complexity is contingent on a specific interpretation of normative progress, wherein regional organizations become a vector for implementation of the principles associated with the Liberal International Order. Therefore, normative progress results from a movement in the direction of a 1) liberal democratic polity and economy; 2) the free movement of goods and capital; 3) human equality (freedom, rule of law, and human rights); 4) multilateralism; and 5) collective security (Lake et al. 2021, 5). This is surely not the only possible interpretation of normative progress. It has the merit of establishing a dialogue with the recent literature on the contestations of the liberal order, and equally important, this view of normative progress enables observation, assessment, and comparison across time and space.⁶

The next section explores the evolution of institutional complexity in Latin American regional governance and characterizes it as a regional governance complex. The concept of regional governance complexes shares common features with a novel approach to the analysis of institutional complexity offered by Elstrup-Sangiovanni and Westerwinter in an article published in 2022. The authors propose the concept of Global Governance Complexes (GGCs), in order to capture the increased variety of actors that have a role in the network of institutions that make up a given arena of global governance. Thus, for them, aside from an increase in the number of institutions (scale), there is greater diversity amongst the relevant actors. A closer look at the Latin American regional governance complex confirms that this architecture has grown in scale as well as in the diversity of actors that have authority within the governance complex, a phenomenon first identified by Nolte (2014). For example, if the figures above display a clear proliferation of international organizations,

⁶ Notably, for Benjamin Faude and Felix Gröbe-Kreul, normative progress is the outcome of an inter-institutional justificatory practice, whereby institutions involved in a governance complex seek common ground amongst each other's governing principles and objectives. To that end, normative progress is more concrete and issue-specific than it is in the case of regional governance institutions (Faude and Gröbe-Kreul 2020).

they underestimate complexity when it comes to revealing the diversity of actors that make up these regional organizations -- for instance, private entities, civil society, and subnational actors. The data above demonstrates that Latin American regionalism has become denser, as the result of the growing scale and diversity of its components. The observed complexity derives directly from overlapping mandates and membership, potentially an unintended consequence of implementation of the Liberal International Order. I address the point in the coming paragraphs and attempt to identify the mechanism that produced this outcome.

The regional governance complex of the Americas and normative progress – A preliminary assessment

The notion of regime complex has been around for a long time. More recently, work by Elstrup-Sangiovanni and Westerwinter (2022) has introduced the concept of Global Governance Complexes to highlight several characteristics of institutional complexity contemporaneously. The authors emphasize the role of non-state actors as well as the absence of regulatory conflict -- ubiquitous features of international governance structures nowadays that escape the traditional notion of regime complex. This is not the place for an exhaustive discussion of the concepts of regime complex and global governance complex. Suffice it to establish that the new concept of Global Governance Complex (GGC) appears to have traction when it comes to understanding the nature of regional governance in Latin America. In fact, as the analysis of the evolution of scope presented in the previous sections makes clear, regional organizations in the Americas overlap at times, with respect to mandates and membership, without necessarily generating a regulatory conflict. Moreover, the presence and engagement of non-state actors has become a key feature of this regional governance complex.

This broader view of complexity in regional governance goes hand in hand with a more optimistic approach to overlapping regionalism in general. In fact, scholars that have focused on the dynamics within and amongst regime complexes propose that this ubiquitous contemporary form of global governance is associated with normative progress. Benjamin Faude and Felix Gröbe-Kreul argue that the elemental institutions within a regime complex are often invited to defend their “justificatory narratives,” in face of conflicting narratives and negative spillovers. This dialogue is at the core of the mechanism linking complexity to normative progress. The authors propose that normative conflict as well as the contestation of negative spillovers generate a window of opportunity for “interinstitutional justificatory practices (Faude and Gröbe-Kreul 2020, 432).” The dialogue between institutions whose mandates would share little in common in the absence of overlap invites those involved to reflect upon the sets of principles, norms and objectives that pertain to each institutional mandate individually. In turn, these actors assess normative conflict as well as negative spillovers (unintended consequences most of the times) and seek to reconcile institutional objectives by identifying common ground to interpret principles. Sometimes this

conversation leads to normative reform, as the 2001 Doha Declaration exemplifies.⁷ This process dilutes power disparities and promotes convergence of objectives within the regime complex (Faude and Gröbe-Kreul 2020, 435).

Along the same lines, Federico Merke entertains the idea of a balance of power in Latin America, from an English School perspective. As opposed to the more conflictive and competitive ‘systemic’ balance of power, he argues that Latin America depicts a ‘societal’ balance of power – which is by definition essentially cooperative and associative (Little 2006, cited by Merke 2015, 180). Merke speaks of a South American international society, in the sense that Hedley Bull has lent to the term. For the purposes of the investigation of Latin America’s co-constitution of the LIO, this international society would be the natural locus to cultivate an indigenous (original) project of regional governance. I argue that the resulting complexity in regional governance institutions is a byproduct of the dynamics internal to this society of states – characterized not least by a common identity. The resulting overlap and parallelism in regional organizations is a direct result of this process of co-constitution.

In a nutshell, the skeptic and at times openly critical view of overlapping regional governance institutions offered by scholars like Laura Gómez-Mera (2015) deserves another round of investigation. The same holds for the scholarship that insists in criticizing governance institutions in Latin America as incomplete, fluid, or in permanent crisis (Rodriguez and Haag 2022; Nolte 2021b; Mariano et al. 2021). The metrics by which these organizations were evaluated recurrently borrow from the more hierarchical European model, thus ignoring the Latin American protagonism with respect to the Liberal International Order. Moreover, the pessimistic view of regional institutions in Latin America appears to share a common bias: the conviction that a more hierarchical and autonomous model would succeed, in spite of the resistance towards supranationalism in the region. Our new democracies -- and unfortunately, the new electoral autocracies as well, might be better served with an ad hoc approach to regional governance, modest in its short-term accomplishments, but nevertheless ambitious in its track-record and mechanics of socialization.

Conclusion

This article discussed the recent scholarship on institutional complexity, with an emphasis on Latin American regionalism. The predominant view that regional organizations have failed is presented and put into check; the article discusses a more optimistic view of institutional overlap labeled regime complexity elsewhere. One particular form of regime complexity, the notion of Global Governance Complexes, is

⁷ Benjamin Faude and Felix Gröbe-Kreul mobilize the conflict between the WTO and the WHO, during the HIV/AIDS epidemic in the late 1990s, to highlight the clash of norms and objectives with respect to the protection of pharmaceuticals contained in the Agreement on Trade Related Aspects of Intellectual Property Rights (TRIPs Agreement). The conflict led to a window of opportunity wherein both organizations engaged in a process of accommodation of each other’s objectives. The outcome was the 2001 Doha Declaration, which created exceptions to the TRIPs-WTO regime in order to enable access to HIV/AIDS medication to developing and least developed countries. Ultimately this exception was written into an amendment to the WTO agreements, transforming the exception into a permanent provision, in 2017. The authors see this example as a poster child for the process of normative progress, a process that was triggered by overlap of institutional mandates.

presented, through its defining characteristics of multi-stakeholderism and absence of normative conflict or a hierarchical structure. Instances of institutional overlap in Latin American regional governance suggest that we are dealing with a Global Governance Complex, which showcases particular features that define and distinguish this institutional grid from its correlate in Europe, the European Union.

The analysis proceeds to map the evolution of overlapping regional organizations in the Americas with respect to their scope (or competencies). Aside from identifying the critical junctures that catapulted the broadening of ROs scope -- most prominently the end of the Cold War, the analysis documents several trends in the evolution of RO scope. For instance, up until the 1960s, regional organizations dealt primarily with security as well as issues that guaranteed the loyalty of domestic winning coalitions (e.g. trade, finance and agriculture). This analysis is based on the Regional Organizations Competencies Dataset (ROCO), which was conceived and developed by Panke and Starkmann (2019). Data from ROCO also reveals that regional organizations did not seize the more diffuse mandates embedded in third generation public goods until after 1991; this is the case of migration, good governance and public health.

Underlying the picture of institutional complexity in Latin American global governance institutions is the idea of a regional protagonism vis-à-vis the Liberal International Order. The article revisits the key principles of the Liberal International Order, and chronicles how these principles are in tension with the Westphalian Order. Regional complexity is likely a response to the principled and hierarchical model of integration materialized by the European Union. Ultimately, the Latin American experience with regional governance and its own ecology of regional organizations may be complex, erratic, even chaotic, it may fall short of scholars of regionalism and their expectations, but this experience is probably singular. Moreover, the track record of regional organizations' accomplishments documents an evolving process of socialization that is associated with a record of peaceful interstate relations within the hemisphere. This is no small outcome.

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References

Aggarwal, V. *Institutional designs for a complex world: bargaining, linkages, and nesting*. Ithaca: Cornell University Press, 1998.

- Agostinis, G., and D. Nolte. “Resilience to crisis and resistance to change: a comparative analysis of the determinants of crisis outcomes in Latin American regional organizations.” *International Relations* 37, no. 1 (2023): 117-143. doi: <https://doi.org/10.1177/00471178211067366>
- Alter, K. “The promise and perils of theorizing international regime complexity in an evolving world.” *The Review of International Organizations* 17, (2022): 375-396. doi: <https://doi.org/10.1007/s11558-021-09448-8>
- Alter, K. J., and S. Meunier. “The politics of international regime complexity.” *Perspectives on Politics* 7, no. 1 (2009): 13-24. doi: <https://doi.org/10.1017/S1537592709090033>
- Alter, K., and K. Raustiala. “The rise of international regime complexity.” *Annual Review of Law and Social Science* 14, no. 18 (2018): 1-18. doi: <https://doi.org/10.1146/annurev-lawsocsci-101317-030830>
- Börzel, T., and M. Zürn. “Contestations of the liberal international order: from liberal multilateralism to postnational liberalism.” *International Organization* 75, no. spe. 2 (2021): 282-305. doi: <https://doi.org/10.1017/S0020818320000570>
- Börzel, T., and T. Risse. “Regionalism under stress.” In *Regionalism under stress: Europe and Latin America in comparative perspective*, edited by D. Nolte, and B. Weiffen, 34-46. New York: Routledge, 2021.
- Carneiro, C. L., and M. M. Costa. “Institutions of the inter-american human rights system and their role in shaping the international liberal order.” Paper presented at the Workshop on the Historiography of Human Rights, Berlin, 2023.
- Comini, N., and A. Frenkel. “Unasur on the edge.” In *Regionalism under stress: Europe and Latin America in comparative perspective*, edited by D. Nolte, and B. Weiffen, 133-149. New York: Routledge, 2021.
- Conran, J. and K. Thelen. “Institutional change.” In *The Oxford handbook on historical institutionalism*, edited by F. Fioretos, T. G. Falletti, and A. Sheingate. Oxford: Oxford University Press, 2016.
- Downs, G. “Enforcement and the evolution of cooperation.” *Michigan Journal of International Law* 19, no. 2 (1998): 319-344.
- Drezner, D. “The power and peril of international regime complexity.” *Perspectives on Politics* 7, no. 1 (2009): 65-70. doi: <https://doi.org/10.1017/S1537592709090100>
- Eilstrup-Sangiovanni, M. “Death of international organizations: the organizational ecology of intergovernmental organizations, 1815–2015.” *The Review of International Organizations* 15, (2020): 339-370. doi: <https://doi.org/10.1007/s11558-018-9340-5>
- Eilstrup-Sangiovanni, M. and O. Westerwinter. “The global governance complexity cube: varieties of institutional complexity in global governance.” *The Review of International Organizations* 17, (2022): 233-262. doi: <https://doi.org/10.1007/s11558-021-09449-7>

- Faude, B., and F. Gröbe-Kreul. “Let’s justify! How regime complexes enhance the normative legitimacy of global governance.” *International Studies Quarterly* 64, no. 2 (2020): 431-439. doi: <https://doi.org/10.1093/isq/sqaa024>
- Gómez-Mera, L. “International regime complexity and regional governance: evidence from the Americas.” *Global Governance* 21, no. 1 (2015): 19-42. <https://doi.org/10.1163/19426720-02101004>
- Hillebrecht, C. *Domestic politics and international human rights tribunals: the problem of compliance*. Cambridge: Cambridge University Press, 2014.
- Hoffmann, A. “Mercosur Between Resilience and Disintegration.” In *Regionalism under stress: Europe and Latin America in comparative perspective*, edited by D. Nolte, and B. Weiffen, 119-132. New York: Routledge, 2021.
- Koremenos, B., C. Lipson, and D. Snidal. 2001. “The rational design of international institutions.” *International Organization* 55, no. 4 (2001): 761-799.
- Lake, D., L. Martin, and T. Risse. “Challenges to the liberal order: reflections on international organization.” *International Organization* 75, spe. no. 2 (2021): 225-257. doi: <https://doi.org/10.1017/S0020818320000636>
- Legler, T. “Regional governance and conviviality in Latin America: the limits of inter-presidentialism.” Paper presented at Mecila Distinguished Lecture Series, São Paulo, SP, 2023.
- Long, T. and C.- A. Schulz. “Compensatory layering and the birth of the multipurpose multilateral IGO in the Americas.” *International Organization* 75, no. 2 (2022): 1-32. doi: <https://doi.org/10.1017/S002081832200025X>
- Malamud, A. “Overlapping regionalism, no integration: conceptual issues and the Latin American experiences.” *Política Internacional* 3, no. 6 (2018): 47-59.
- Mariano, K. P., R. N. Bressan, and B. T. Luciano. “Liquid regionalism: a typology for regionalism in the Americas.” *Revista Brasileira de Política Internacional* 64 no. 2 (2021): 1-19. doi: <https://doi.org/10.1590/0034-7329202100204>
- Merke, F. “Neither balance nor bandwagon: South American international society meets Brazil’s rising power.” *International Politics* 52, no. 2 (2015): 178-192. doi: <https://doi.org/10.1057/ip.2014.49>
- Mesquita, B. B., J. Morrow, R. Siverson and A. Smith. “Political competition and economic growth.” *Journal of Democracy* 12, no. 1 (2001): 58-72. doi: <https://doi.org/10.1353/jod.2001.0011>
- Mitchell, R. “Problem structure, institutional design, and the relative effectiveness of international environmental agreements.” *Global Environmental Politics* 6, no. 3 (2006): 72-89.
- Nolte, D. “Costs and benefits of overlapping regional organizations in Latin America: the case of the OAS and Unasur.” *Latin American Politics and Society* 60, no. 1 (2018): 128-153. doi: <https://doi.org/10.1017/lap.2017.8>

- Nolte, D. “The Pacific alliance: regionalism without stress?” In *Regionalism under stress: Europe and Latin America in comparative perspective*, edited by D. Nolte, and B. Weiffen, 150-168. New York: Routledge, 2021a.
- Nolte, D. “From the summits to the plains: the crisis of Latin American regionalism.” *Latin American Policy* 21, no. 1 (2021b): 181-192. doi: <https://doi.org/10.1111/lamp.12215>
- Nolte, D. *Latin America’s new regional architecture: a cooperative or segmented regional governance complex?* Working Paper EUI RSCAS no. 89. Florence: European University Institute, 2014.
- Nolte, D., and B. Weiffen. *Regionalism under stress: Europe and Latin America in comparative perspective*. New York: Routledge, 2021.
- Nolte, D., and V. Mijares. “Unasur: an eclectic analytical perspective of its disintegration.” *Colombia International*, no. 111 (2022): 83-109.
- Panke, D. and S. Stapel. “Overlapping regionalism around the world: introducing the overlapping regionalism dataset.” *International Area Studies Review* 26, no. 4 (2023b): 1-15. doi: <https://doi.org/10.1177/22338659231194943>
- Panke, D. and S. Stapel. “Towards increasing regime complexity? Why member states drive overlaps between international organizations.” *The British Journal of Politics and International Relations* 25, no. 4 (2022): 1-22. doi: <https://doi.org/10.1177/13691481221115937>
- Panke, D., and A. Starkmann. “Regional organizations’ competencies (ROCO).” *Harvard Dataverse*, 2019. <https://doi.org/10.7910/DVN/UBXZHC>
- Panke, D., and S. Sapel. “Exploring overlapping regionalism.” *Journal of International Relations and Development* 21, no. 3 (2018): 635-662. doi: <https://doi.org/10.1057/s41268-016-0081-x>
- Panke, D., and S. Stapel. “Cooperation between international organizations: demand, supply, and restraint.” *The Review of International Organizations*, (2023a): 1-37. doi: <https://doi.org/10.1007/s11558-023-09506-3>
- Rodriguez, J. C., and V. T. Haag. “The space left for regional integration (or lack thereof): structural causes of institutional fragmentation in Latin America (1991-2019).” *Revista Brasileira de Política Internacional* 65, no. 1 (2022): 2-26. doi: <https://doi.org/10.1590/0034-7329202200111>
- Schneider, C. “The political economy of regional integration.” *Annual Review of Political Science* 20, (2017): 229-248. doi: <https://doi.org/10.1146/annurev-polisci-051215-023006>
- Simmons, B. *Mobilizing for human rights: international law in domestic politics*. Cambridge: Cambridge University Press, 2009.
- Tourinho, M. “The co-constitution of order.” *International Organization* 75, spe. no. 2 (2021): 258-281. doi: <https://doi.org/10.1017/S0020818320000466>