

## CHAPTER 22

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## REGIONAL INSTITUTIONAL DESIGN

### *Pooling and Delegation*

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INSTITUTIONS are regularized patterns of behavior that are either formal, i.e. legally codified in an international treaty, or informal, i.e. emergent through practice over time. They are intended to facilitate the generation of desirable outcomes by structuring political interactions. Yet supranational institutions are distinctive because they operate in a non-hierarchical setting. Whereas domestic institutions tend to be directly enforceable, supranational institutions rely on the voluntary consent of sovereign member states; they need to be self-reinforcing.

Regional organizations (ROs) display significant variation in their institutional design. Some involve broad-ranging formal institutionalization; others are based primarily on informal networks. Some have powerful general secretariats with extensive competencies; others feature only small administrative units. Some have a diversified institutional architecture; others are fairly simple in their institutional organization. Some make decisions by consensus; others use majoritarian decision-making rules. Some appear to be relatively fixed in their institutional structure, while others change considerably over time.

How can this variation be explained? What are the principal patterns in regional institutional design? And how is it related to states' ability to achieve collective goals? These questions are gaining increasing attention, and the purpose of this chapter is to provide an overview of this rapidly developing field of research. We focus on regional organizations composed of three or more contiguous states having an explicit and continuous institutional framework for general purpose governance.<sup>1</sup>

This chapter begins by clarifying the key concepts of pooling and delegation. We then discuss how the institutional design of regional organizations is explained in the literatures on realism, institutionalism, constructivism, and diffusion. We then review literature that examines the consequences of variation in institutional design for peace and security, economic welfare, domestic institutions, and international actorness. We conclude by outlining some promising avenues for future research.

## BASIC CONCEPTS: POOLING AND DELEGATION

Regional organizations have been understood on a spectrum from intergovernmentalism to supranationalism, which largely coincides with the distinction between cooperation and integration (Chapter 1 by Börzel and Risse, this volume). When member states in an RO control decision-making, implementation, and dispute settlement, one can speak of intergovernmentalism. Conversely, to the extent member states do not monopolize these capacities, one moves towards supranationalism.

The distinction is elegant—perhaps too elegant, for it conflates two dimensions of institutional design with contrasting strategic imperatives, namely pooling and delegation (Lake, 2007, 220; Hooghe and Marks, 2014). Pooling describes “sharing the capability of making decisions among governments, through a process of qualified majority rule” (Keohane and Hoffmann, 1991, 7). It involves a transfer of authority so that member states collectively participate in, but do not individually control, decision-making. Delegation, by contrast, denotes “a conditional grant of authority from a principal to an agent that empowers the latter to act on behalf of the former” (Hawkins et al., 2006, 7). Member states delegate authority, which means that they retain control over the agent; only ultimately though. The upshot is that a delegated agent enjoys a degree of autonomy which it may use to pursue its own agenda.

Regional organizations feature widely varying mixes of pooling and delegation as Table 22.1 displays (see Appendix 22.1 for details on coding and more fine-grained measures; see also Appendix Table A22.1). The first thing to notice is that delegation is much more widespread than pooling (Lenz et al., 2014; Hooghe and Marks, 2014). The modal category is composed of ROs that combine low levels of pooling with medium or high levels of delegation. No organization combines a medium or high level of pooling with a low level of delegation. Several ROs are relatively high on both dimensions, including the Andean Community, the African Union, the East African Community and the European Union (EU). At the same time, several ROs continue to remain low on both dimensions, such as Mercosur, the Nordic Council, and the Shanghai Cooperation Organization. These organizations are closest to the intergovernmental model of international cooperation. However, even among organizations on the high/high or low/low diagonal, delegation tends to be more widespread than pooling. For example, organizations such as Mercosur or the Shanghai Cooperation Organization have no pooling at all, but limited levels of delegation.

Pooling decision-making is the exception rather than the rule and levels of pooling among general purpose ROs have remained fairly stable over time (Lenz et al., 2014; Hooghe and Marks, 2014; see also Blake and Lockwood Payton, 2014). European ROs, especially the European Union and the Council of Europe, were among the first organizations to pool authority, but they remain outliers. To the extent that pooling does

**Table 22.1 Delegation and Pooling in Select General Purpose Regional Organizations (2010)**

		Delegation	
		Low	Medium or High
Pooling	Low	Association of Southeast Asian Nations Commonwealth of Independent States Gulf Cooperation Council League of Arab States Mercosur Nordic Council Shanghai Cooperation Organization South Asian Association for Regional Cooperation	Benelux Central American Integration System Commonwealth of Nations East African Community Economic Community of Central African States Economic Community of Western African States Inter-Governmental Authority on Development Pacific Islands Forum Southern African Development Community South Pacific Commission
	Medium or High		African Union Andean Community Caribbean Community Central African Economic and Monetary Union Common Market for Eastern and Southern Africa Council of Europe European Union Organization of American States Organization of Eastern Caribbean States

Compiled by the authors.

occur, it is largely confined to the budget and some policy-making (e.g. the Andean Community and the Central African Economic and Monetary Union).

Delegation, by contrast, has increased substantially in regional organizations over the past two decades (Hooghe and Marks, 2014; Lenz et al., 2014; see also Tallberg et al., 2013). This general trend has been confirmed for a variety of individual bodies, including regional secretariats, dispute settlement mechanisms, and parliamentary bodies (Alter, 2013; Haftel, 2011; Hooghe et al., 2014; Chapter 23 by Alter and Hooghe and Chapter 25 by Rittberger and Schroeder, this volume). Today, most ROs have a secretariat (co-) responsible for agenda-setting, a dispute settlement mechanism that enjoys some independence from member state control, and one or more consultative bodies composed of non-state actors. Nevertheless, there is significant variation. The EU's range and depth of delegation remains the exception. Few ROs monopolize agenda-setting in the hands of an independent secretariat, as does the EU or the early Andean Pact. Only six general

purpose ROs grant decision-making competencies to regional parliaments, as does the East African Community. Most other parliamentary bodies have consultative functions only (Lenz et al., 2014). Courts are perhaps the strongest delegated institution among ROs. Twelve ROs grant courts substantial independence including the possibility of non-compliance suits by the secretariat, a preliminary rulings mechanism, and administrative/constitutional review (Alter, 2012; Hooghe et al., 2014; Chapter 23 by Alter and Hooghe, this volume). Nevertheless, most ROs continue to rely on state-controlled dispute settlement.

Regional organizations typically have a tiered administrative structure in which state-dominated decision-making bodies—generally councils of ministers or summits of heads-of-state—are aided by subsidiary committees composed of technical experts from state ministries who prepare decisions and follow up on implementation. As regional cooperation develops, this core decision-making structure tends to become more differentiated and more authoritative. In most ROs, economic cooperation has both expanded from its focus on trade and industrial policy in the early days towards investment policy, services, public procurement, and rules on migration today and deepened from lowering at-the-border barriers, such as tariffs and quotas, to behind-the-border barriers, such as discriminatory rules and regulations (see Chapter 2 by Söderbaum, this volume). Several ROs, such as the African Union and the Economic Community of West African States (ECOWAS), have moved beyond economic cooperation to engage political issues such as democracy, human rights, and security (see chapters in Part III, this volume). Regional economic organizations increasingly incorporate alliance and good governance commitments in their treaties in an effort to manage security concerns, regime instability, and the threat of terrorism (Powers, 2004, Börzel and Van Hüllen, 2015).

Whereas systematic comparative information on formal institutions is growing, evidence on informal institutions remains patchy. Nevertheless, there appears to be a general sense in the literature that, despite some movement towards pooling and the marked growth in delegation, informal institutions continue to favor member state control, especially by powerful member states. Concerning pooling, informal institutions remain wedded to consensual decision-making among states. This is well established for the EU (Heisenberg, 2005), and anecdotal evidence exists for other ROs too (see Middlebrook, 1978 on the Andean Pact). Member states are often reluctant to adopt decisions that are opposed by their peers, and so consensus is preferred as it is in most other kinds of organization (Zamora, 1980, 568). However, there are good theoretical and empirical reasons to believe that formal majoritarian rules constrain the informal use of consensus decision-making (Stone, 2011; Kleine, 2013; Marks et al., forthcoming).

As regards delegation, evidence from individual ROs suggests that informal institutions sometimes allow powerful member states to circumvent delegated authority. Many important decisions in Mercosur, for example, are the result of informal presidential diplomacy rather than routinized decision-making (Malamud, 2005). The most far-reaching claim, in this respect, has been advanced in regard to the Association of Southeast Asian Nations (ASEAN). Scholars suggest that the ASEAN way—informal

and consensus-oriented decision-making among heads-of-state—continues to dominate the organization despite reforms that have empowered the general secretariat and third-party dispute settlement (Aggarwal and Chow, 2010; Chapter 11 by Jetschke and Katada, this volume). Despite these indications, there is little systematic research substantiating the claim that informal institutions regularly undermine delegated competencies. In summary, our current empirical knowledge suggests that there is a trend, uneven across ROs, of member states endowing independent non-state bodies with additional functions and powers.

## CAUSES OF REGIONAL DESIGN

Most students of regional governance treat institutional design as the key dependent variable. Four theoretical perspectives—realism, institutionalism, constructivism, and diffusion—offer contrasting answers. While each of these approaches has developed hypotheses to explain cross-sectional variation in institutional design, they say far less about the causes of institutional change. Moreover, no theoretical perspective offers a coherent rationale for the divergence in the level and evolution of pooling and delegation in ROs.

### Realism

For realists, the design of international institutions reflects the underlying distribution of power among member states. The central idea is that dominant states prefer informal relations of power to the formal rule of law (Mearsheimer, 1994/95). In this vein, the “extreme hegemony” exercised by the United States prevented strong regional institutions from emerging in East Asia during the Cold War (Crone, 1993, 505), and the decline of US hegemony facilitated an upsurge of regionalism in the 1990s (Mansfield, 1998). At the same time, however, regional cooperation may allow smaller powers to balance against a hegemon, as has been argued for the European Economic Community, ASEAN, the Southern African Development Coordination Conference, and the Gulf Cooperation Council (Pedersen, 2002; Beeson, 2005; Ispahani, 1984).

Why dominant states sometimes accept extensive and growing delegation remains puzzling. Some question the substantive relevance of this development on the ground that delegation is always contingent on the interests of the dominant states (Stone, 2011; 21). Even though such states might accept formal delegation in normal times, they retain effective control through informal rules when the stakes are high (Stone, 2011; see also Libman and Obydenkova, 2013). Others point to regional governance arrangements—plutocratic governance—in which decisions are effectively taken by the dominant state (Hancock, 2009; Chapter 10 by Hancock and Libman, this volume).

Evidence is mixed for the claim that informal rules allow powerful states to finesse regional governance when it suits them. Kleine (2013, 89) points out that even when majority decision-making procedures are in place, “governments frequently need to mitigate the rules’ effects when a decision threatens to stir up strong distributive conflict at the domestic level.” However, from the time of the Single European Act to the present, between 10 and 20 percent of all EU legislation has been opposed in formal votes by losing minorities (Kleine, 2013; Mattila, 2009). Analysis of judgments in the European Court of Justice provides no support of systematic bias to powerful states, nor are powerful states necessarily inclined to evade compliance with EU law (Börzel et al., 2010; Stone Sweet, 2010).

Some realists interpret delegation as a side payment by a regional power to their weaker neighbors for their acquiescence to hegemony (Pedersen, 2002; Schirm, 2009). Such side payments may increase if power disparities decline, resulting in increased RO authority. According to Grieco (1995, 1997), this explains monetary union in the EU and, in comparative perspective, the high degree of formal institutionalization in Europe by contrast to East Asia. An alternative realist approach to the puzzle posits that regional governance is a response to external threat (Rosato, 2011), an argument that would have to be refined if it were to explain the pattern of RO reform.

The disparity between extensive delegation and limited pooling in regional organizations is puzzling from a realist perspective. If each state is able to veto reform this raises the hurdle for member states to collectively rein in delegated RO bodies. There is a decisive difference between a unitary principal and a collective principal, and this may help to explain why there have been so few instances of spillback in delegation. An alternative way of looking at delegation, and international governance in general, is to emphasize the prevalence of informality as a means for powerful states to exert control through the back door. This is a plausible point of view, though it is not well attuned to explain the significant increase in the authority of non-state RO bodies that has been negotiated in written contracts.

## Institutional Approaches

Neo-liberal and historical institutionalist approaches have gained wide currency in the analysis of regional design. Both approaches view actors as responding rationally to exogenous constraints; yet differ in what these constraints are: informational constraints in the case of neo-liberal institutionalism and institutional constraints in the case of historical institutionalism.

Neo-liberal institutionalism interprets institutions as functional solutions to collective action problems generated by complex interdependence (Keohane, 1984). In this view, the uniquely supranational EU is motivated by high levels of economic interdependence, while less interdependent regions delegate and pool less (Bouzas and Soltz, 2001; Haas and Schmitter, 1964). Political economy accounts tend to emphasize how interdependence tips the balance of domestic political forces in favor of export-oriented

or, more broadly, internationalizing coalitions (Milner, 1997; Solingen, 2008; Chapter 4 by Solingen and Malnight, this volume).

A puzzle here is that several ROs exhibit extensive delegation even though economic interdependence is limited (Herbst, 2007; Chapter 13 by Hartmann, this volume). Conversely, regions with high economic interdependence, such as Northeast Asia, feature only weak institutional arrangements. In line with this, case studies of ROs outside the Western world have found little evidence for the bottom-up logic of interest group influence that political economy accounts tend to posit (Yoshimatsu, 2007). Whereas some quantitative studies confirm a strong association between economic interdependence and thick governance (Smith, 2000; Haftel, 2011), others find a weaker association or one that is conditional on implementation (Marks et al., 2014; Haftel, 2013; see also Mattli, 1999). Relatedly, several studies suggest that interdependence accounts for design variation across policy areas (Stone Sweet et al., 2001). Börzel and Van Hüllen (2015) argue that security interdependence leads to regional governance for democracy and human rights. Where such interdependencies are particularly severe, as in many parts of Africa, states design pooled decision-making procedures that allow for robust enforcement without the consent of the concerned member state. To what extent this argument travels to other policy areas, and especially economic integration, remains an open empirical question. In general, growing interdependence increases the difficulty of agenda-setting and decision-making which, in turn, might explain rising delegation. Whereas gradually enhancing delegation might be seen, from this perspective, as a “conventional” institutional response, losing the national veto (pooling) is a more far-reaching institutional measure. Here, high threshold levels of interdependence or imminent blockage in large-member organizations might be required.

A second line of neo-liberal institutionalist inquiry focuses on credible commitment as a means to make policy choices robust to domestic pressures and time inconsistency (Koremenos, 2007; Thatcher and Stone Sweet, 2002). Stronger delegation may result from a challenge to the credibility of a commitment because of exogenous change, such as an economic crisis. Arnold and Rittberger (2013) account for the reform of Mercosur’s dispute settlement along these lines. Beyond trade, ROs allow states to commit to democratic institutions or human rights in the face of competitive party-political bidding (Moravcsik, 2000; Mansfield and Pevehouse, 2006; Chapter 21 by Pevehouse, this volume; see also Gruber, 2000). While this research focuses on formal institutions, and especially delegation to independent agents, some research emphasizes how intergovernmental or informal institutions—establishing centralized monitoring and enforcement mechanisms that retain member state sovereignty, and individual states serving as informal focal points in coordination dilemmas—solve credible commitment problems (Yoshimatsu, 2006).

Even though credible commitment theorists have largely ignored the issue of pooling or treated it in conjunction with delegation the logic of the argument might plausibly account for the empirical observation that ROs combine extensive delegation and limited pooling. Institutional protection against domestic pressures and time inconsistency

might be most effective when states delegate extensively to independent agents *and* retain their veto in final decision-making, thus icing their collective commitment.

Rather than view regional design as functionally efficient, historical institutionalism interprets it as path-dependent. In the case of the EU, Pierson (1996) argues that reform—and hence member state control—is attenuated by unanimity decision rules, delegation to independent bodies, and sunk costs. Similarly, neo-functionalists emphasize how delegation to independent agents has downstream consequences for regional institutional design. In the European context, scholarship in this tradition emphasizes that non-state agents can empower supranational bodies so that delegation feeds on itself (Burley and Mattli, 1993; Chapter 3 by Börzel, this volume). From a social movement perspective, Hawkins (2008) argues along similar lines that once granted access to regional governance, societal actors push for institutional constraints on states. Those who identify a supranational dynamic in regional organizations point to the efforts of non-state actors rather than member states themselves, a finding that is consistent with the discrepancy we observe between extensive delegation and limited pooling.

One can extend historical institutionalism to the effects of domestic institutions for regional design. In this vein, Malamud (2005) shows how domestic constitutional provisions favoring the executive facilitate informal presidential diplomacy in Mercosur. Relatedly, Mansfield and collaborators find that states with more domestic veto players are less likely to join deep economic integration arrangements (Mansfield and Milner, 2012).

Overall, the efficiency view of institutionalist accounts, whether in its economic or historical variant, offers a range of plausible hypotheses on formal institutions, but appears to be less well attuned to understanding informal institutions. The main reason, in our view, is that divergence between formal and informal institutions provokes a degree of ambiguity that is difficult to reconcile with an efficiency view of institutions.

## Constructivism

In contrast to those who assume that actors respond rationally to exogenous constraints, constructivists view actors as having historically contingent beliefs and norms through which they interpret their environment. Inter-subjective norms render certain actions desirable and others undesirable. This argument has been used to account for the incidence of ROs. Katzenstein argues that the US underpinned security organization in Europe but not in East Asia because it identified with the former but not the latter (Hemmer and Katzenstein, 2002; Katzenstein, 2005). Similarly, constructivists claim that identity plays a decisive role in the creation of ROs as diverse as NATO, the Organization of African Unity, the Caribbean Community, and Mercosur. The emergence of security communities has received particular attention from constructivists (Risse-Kappen, 1996; Tussie, 2009; Chapter 24 by Checkel, this volume).

Constructivists have paid less attention to institutional design. One strand of inquiry focuses on ideas and norms that are rooted domestically. For example, constructivists argue that democratic norms facilitate delegation because democratic elites are familiar with domestic power-sharing (Acharya and Johnston, 2007, 262; Chapter 25 by Rittberger and Schroeder, this volume). Regional governance is also linked to national culture. Duina (2006, forthcoming) argues that variation in national legal cultures drives regional economic integration and dispute settlement on the ground that civil law is more consistent than common law with the standardization of formal rules and institutionalized dispute settlement.

Nevertheless, these arguments offer little insight into why a government might reject power-sharing in majoritarian voting while accepting delegation to an independent body. Explanations highlighting ideas and identity do not fare much better in a comparative perspective. For example, Parsons (2003) argues that party divisions on Europe allowed individual leaders to build cross-party coalitions around European integration which went beyond confederal visions and which involved extensive delegation to independent bodies. In the Arab world, on the other hand, the rhetoric of common identity legitimizes weak regimes that fear unity and avoid delegation and pooling (Barnett and Solingen, 2007). In one of the few large-n studies on the topic, Marks et al. (2014) conceive the process of institutional change as a process of discovery that depends on the willingness of member states to contract highly incomplete commitments that, in turn, reflect common historical ties.

The ontology of constructivism renders it sensitive to informal institutions. Much scholarship on regional institution-building in the post-colonial states of Africa and Asia has emphasized how the creation of seemingly powerful formal institutions in fact bolstered informality and national sovereignty (Chapter 13 by Hartmann, this volume). Perhaps the most sustained constructivist argument concerns Asian ROs, and especially ASEAN. ASEAN's thin institutionalization, the preference for informal rather than formal institutions, and the procedural emphasis on consensus-building reflect deeply rooted cultural predispositions (Acharya, 2001; Higgott, 2007; Katzenstein, 2005). Over time, these principles have congealed into a coherent set of norms—the “ASEAN way”—that is juxtaposed to formal-legal regionalism in Europe and elsewhere. Such essentialist arguments have problems explaining why reform does take place in ASEAN and especially why it takes the form of formal negotiated agreements (Chapter 11 by Jetschke and Katada, this volume).

Ironically, constructivists face a similar problem to that encountered by neo-liberal institutionalists in accounting for the curious divergence between extensive delegation and limited pooling. Their central concepts—ideas, norms, and identities—tend to evolve slowly. Scholars often conceive these as constants over the time frame under consideration. Constructivism has developed hypotheses for cross-sectional variation in formal and informal institutionalization across ROs, but it has been less oriented to change over time. If socialization or learning is a source of change, it is not implausible

to believe that this is likely to be more powerful for non-state actors in independent RO bodies than among member states themselves.

## Diffusion

Diffusion approaches, including sociological institutionalism, treat ROs as interdependent (Jetschke and Lenz, 2013; Chapter 5 by Risse and Chapter 26 by Ribeiro Hoffmann, this volume). Diffusion scholars observe that delegated institutions—including courts and parliaments—are not purely endogenous or functional creations but regularly extend across ROs as the result of learning and emulation (Börzel and Risse, 2012; Katsumata 2011; Lenz, 2012, 2013). Some scholars even interpret an entire RO as an “isomorphic creation” (Jetschke, 2009, 422). Perhaps the most widespread diffusion argument concerns the proliferation since the late 1980s of economic ROs and preferential trade agreements more widely. Whereas most scholars attribute this to enhanced competition in international markets (Baccini and Dür, 2012; Mattli, 1999), others argue that it reflects change in the global script of legitimate statehood (Jupille et al., 2013).

Nevertheless, adoption of foreign models is seldom wholesale; adaptation and localization can be expected (Chapter 5 by Risse and Chapter 6 by Acharya, this volume). This draws attention to the conditions which produce similarity or difference, and the relationship between formal and informal institutions. Sociological institutionalism has a clear theoretical expectation connecting the two: diffusion leads to increasing similarity in formal institutions, while informal institutions and actual practices continue to differ (decoupling, see Meyer and Rowan, 1977). Yet, why a variety of delegated institutions have diffused from the EU, while the EU’s pooled decision-making has not spread to a similar degree, remains a puzzle from a diffusion perspective.

## CONSEQUENCES OF REGIONAL INSTITUTIONAL DESIGN

International institutions—both formal and informal—are not ends in themselves. They are intended to help states achieve collectively desirable goals. What difference, if any, does institutional design make? Studies that address this question face a daunting methodological challenge. They need to engage factors that both influence ROs and the outcomes they produce. The task then is to isolate the effects of regional organizations as intervening variables. Nevertheless, there are indications that more supranational ROs have more profound consequences than intergovernmental ROs. What this implies for the effects of pooling or delegation appears to depend on the issue at hand. This section considers four possible consequences of regional organizations: peace and security, economic welfare, domestic institutions, and international actorhood.

## Peace and Security

Many ROs seek to manage security dilemmas. The EU is the most prominent example of an RO rooted in the ambition to produce peace among neighbors, but there are many others. Mercosur has its origin in long-standing nuclear rivalry between Argentina and Brazil. ASEAN was motivated in part by a desire to shield weak states against external threats and communist subversion. This literature deals with the relationship between membership in international organizations, or preferential trade agreements, and (militarized) conflict—a literature that tends to find a positive relationship (for example, Russett and Oneal, 2001; Chapter 14 by Kacowicz and Press-Barnathan, this volume).

The connection between institutional design and peace is contested. One debate concerns the effect of an explicit mandate to mediate, and possibly intervene, in violent conflicts between member states. Some argue that only organizations with a codified security mandate have pacifying effects by facilitating signaling among member states (Boehmer et al., 2004; Hansen et al., 2008). Others, however, find that security-oriented ROs have little or no effect (Bearce and Omori, 2005; Dorussen and Kirchner, 2013; Powers, 2004).

Delegation comes into play when an RO serves as a platform for exchanging information, building trust, and institutionalizing reciprocity. A secretariat may serve an important function if it has the capacity to gather information and set up and routinize meetings among national leaders. However, this is far short of effective intervention in conflict among member states. For this the hurdle is far higher, and involves serious pooling of authority among member states so that an aggressor state cannot use its veto to stymie the RO.

The reform of the African Union in 2001 to allow two-thirds majority of its member states in its Peace and Security Council to initiate coercive intervention, peacekeeping, sanctions, or expulsion was a necessary step for a more activist role in security and peacekeeping. The organization responded to military coups in Togo (2005), Mauritania (2005, 2008), and Mali (2012). In addition, the African Union has sent 14,000 peacekeepers to Burundi, Sudan, and Somalia and has contributed again as many peacekeepers to United Nations missions in Africa.

Some scholars argue common markets and customs unions help to produce peace because they have the capacity to reveal private information (Haftel, 2007; Vicard, 2012). Other studies find no empirical support for this mechanism (Bearce and Omori, 2005). However, there is broad agreement that routinized meetings among high-level officials (including heads-of-state and foreign ministers) reduce the likelihood of militarized dispute, an effect that is generally attributed to trust-building (Bearce and Omori, 2005; Haftel, 2007, 2011).

One might be skeptical of quantitative analyses on the grounds that the relationship is context-specific—something that the broad sweep of such analyses may miss. Yet the case study evidence is inconclusive. Some argue that weakly institutionalized security organizations find it difficult to prevent conflict. In an early study of the Organization

of African Unity, Meyers (1974, 368) contends that “the extremely limited authority granted its institutions” is the principal reason for the organization’s limited success in conflict mediation. This chimes with the findings of large-*n* studies that robust mediation and delegation are necessary to prevent conflict. Informal governance scholars, in contrast, suggest that strong institutionalization is not necessary; it is primarily routinized and iterated interaction that leads to trust and thereby bolsters more peaceful relations between states. Observers of ASEAN, for example, argue that informal decision-making among state leaders has “increased the likelihood that conflicts of peripheral national value would not explode into open confrontation” (Indorf, 1984, 85; see also Acharya, 2001; Tan, 2013). Malamud (2005) has highlighted how informal interaction among state leaders in Mercosur has diminished tensions. Similarly, observers have argued that ECOWAS “enables small groups of leaders to meet together privately to resolve disputes” (Riley, 1999, 67). Nye (1971) makes a similar argument for the East African Community.

## Economic Welfare

Many ROs seek to improve welfare through economic cooperation and integration. Powers and Goertz (2011, 2388, 2396) suggest that “the world is in the process of dividing itself into regions based on the creation of multifunctional, multipurpose regional economic institutions,” where “economic integration is the core.” Most analyses that address the relationship between international governance and welfare are conducted by economists and focus on preferential trade agreements—a class of agreements that include ROs but consist mostly of bilateral accords. These studies overwhelmingly find that such agreements have a positive effect on bilateral trade volumes, economic growth, and other measures associated with economic welfare (for example, Baier et al., 2008; Chapter 15 by Kim et al., this volume). However, studies focusing on ROs alone tend to find no positive effect on a variety of economic welfare measures, mainly due to the weakly performing ROs in the Global South (Jupille et al., 2013; Mayda and Steinberg, 2009).

Not surprisingly, the literature on the relationship between regional institutional design and economic welfare encounters mixed results. One set of studies analyzes the connection between regional security structures and patterns of trade. Gowa was the first to ask whether, and how, alliances affect international trade. In her influential study, she argues that trade generates security externalities that alliance members seek to internalize. As a result, “free trade is more likely within than across political-military alliances” (Gowa, 1994, 31). Subsequent research has analyzed whether alliances shape trade. It finds, for example, that alliances containing a military assistance clause and those that are tied to regional economic agreements have a particularly strong effect on trade flows (Mansfield and Bronson, 1997, 103; Long, 2003; Long and Leeds, 2006).

Building on Balassa’s taxonomy of economic integration, scholars have asked whether deeper economic integration has enhanced welfare effects. Even though the theoretical

grounds for this claim are well established, the empirical evidence is mixed. Whereas some studies find that more ambitious forms of economic integration are associated with greater trade creation, others contend that this effect disappears under controls (Ghosh and Yamarikb, 2004; Kandogan, 2008; Vicard, 2009; Domínguez, 2007, 125). Perhaps the most sustained study of the conditions for success of economic ROs is Mattli's (1999) qualitative study. He argues that the influence of hegemonic leadership and the mobilization of demands on behalf of private economic groups are more important than centralized monitoring and third-party enforcement. This hypothesis is in line with the relative success of the EU, the North American Free Trade Agreement (NAFTA), the German Zollverein, and the European Free Trade Agreement (until 1973) compared to economic ROs in Latin America and Asia.

What might explain the limited influence of institutional design on economic welfare? Structural features, including the lack of economic complementarities among members or the existence of mutually incompatible commitments among overlapping ROs, may be part of the answer. Another important explanation is that many ROs have a poor record of implementation (Langhammer and Hiemenz, 1990; Geda and Kebret, 2008). Recent evidence indicates a North–South divide. An expert survey of 40 preferential trade agreements finds that only five of 18 ROs achieve their objectives (Gray and Slapin, 2012; see also Haftel, 2013). Implementation tends to be spotty among African ROs, some of which have strong formal dispute settlement, while North American ROs, which have weaker formal institutions, have a better record of implementation. ROs that serve to stabilize the regime or facilitate socialization tend to be less oriented to implementation. Mercosur's informal presidential diplomacy is successful partly because Brazilian leaders have been willing to accept their peers renegeing on commitments (Gómez-Mera, 2005). Similarly, Alter and Helfer (2010) have shown that judges on formally powerful courts in the Global South are more willing to accommodate national sovereignty in their rulings than are judges at the European Court of Justice. Thus, an informal institution such as sovereignty and non-intervention, which is more prevalent among Southern ROs, might explain why formal institutions are less effective in enforcing prior commitments.

## Domestic Institutions

Beyond the provision of public goods, ROs also have feedback effects for the stability of domestic institutions and regimes. One important claim is that ROs may help to lock in transition to democracy (Whitehead, 1996). More generally, this literature suggests that membership in democratic ROs is associated with more stable domestic democratic institutions (Chapter 21 by Pevehouse, in this volume).

Beyond mere membership, the available evidence suggests that institutional design has consequences for the stability of democratic institutions. Broadly speaking, the firmer and the more robust RO commitments are, the more effective they appear to be. Domínguez (2007, 125) argues that the relative success of Latin American ROs, including

the Organization of American States until 2002, in locking in democratic commitments stems from the fact that there exists an “obligation to defend constitutional democracy under threat” (see also Hawkins, 2008; Hafner-Burton, 2009). Similarly, research on democratic conditionality in Europe suggests that political conditionality can overcome even relatively entrenched domestic opposition (Schimmelfennig, 2007). Consistent with these arguments is the recent finding that democratizing states are willing to join even intrusive human rights organizations (Hafner-Burton et al., 2013). There is also evidence to suggest that ROs with more robust enforcement mechanisms, including particularly courts that grant access to individuals, are more successful in shielding domestic institutions from rollback (Moravcsik, 2000; Alter, 2013).

Delegation rather than pooling appears decisive for the effect of ROs on domestic institutions. Delegation can serve to legitimate regimes, both democratic and authoritarian, by setting up an external rubric of rules to evaluate and sanction regimes, by establishing norms of good governance, and by empowering a court that can provide information about human rights abuses. Pooling, by contrast, increases the extent to which the member states of an international organization can finesse the opposition of one or a minority of states to make collective decisions. However, it is exceedingly rare for member states to punish one of their own, for there is always the possibility that a state in the current majority might later become a target.

There is also evidence that regional governance can reinforce authoritarian regimes by providing them with legitimacy, a phenomenon that Söderbaum (2004) has called *sovereignty, or regime, boosting*. Authoritarian rulers may use ROs to entrench national sovereignty and non-intervention (Chapter 13 by Hartmann and Chapter 25 by Rittberger and Schroeder, this volume). ROs with limited delegation and pooling, and which have consensus-oriented informal rules, probably serve this purpose best (Ambrosio, 2008; Chapter 10 by Hancock and Libman and Chapter 11 by Jetschke and Katada, this volume).

In African ROs, which are often characterized by extensive delegation and some pooling, a different mechanism is at play. Even though formal delegation to independent agents limits government control, it also provides opportunities for political patronage. Secretariats and courts have to be staffed, providing ample opportunity to reward loyal individuals (Gray, 2014; Herbst, 2007). “Isomorphic entities” (Jetschke, 2009, 422) can enhance the legitimacy of domestic rulers by attracting support from external actors, providing photo opportunities, and conveying to domestic audiences that rulers are adopting best practices.

## International Actorness

The consequences of RO design are felt externally as well as internally. As ROs consolidate their internal structures, they tend to develop outward-oriented policies and, eventually, to become actors on the international stage in their own right (Hettne and Söderbaum, 2000). International actorness is understood as the ability to formulate

common external policies and to defend the interests of member states vis-à-vis external actors (Jupille and Caporaso, 1998). The emerging literature indicates that international actorness hinges on the existence of robust decision-making procedures, with more supranational ROs generally having greater presence than intergovernmental ROs.

The influence of regional governance on international actorness has been examined for some time in the EU (Sjöstedt, 1977). There is widespread agreement that the ability to formulate common positions—and hence the pooling of authority—is a necessary if not sufficient condition for international actorness in the EU. This varies across policy areas. Many argue that the EU is more effective in trade than in common foreign and security policy because it decides by qualified majority vote in the former field, but not in the latter, and has delegated the conduct in international negotiations to the European Commission in trade, but not in common foreign and security policy (da Conceicao-Heldt and Meunier, 2014).

In a comparative study of the EU and ASEAN, Wunderlich (2012) finds that qualified majority voting facilitates international actorness, whereas unanimity hampers it. Beyond the question of pooling, having a single supranational negotiator that speaks for an RO also facilitates international actorness—an institutional condition that favors ECOWAS over the South African Development Community (SADC) in international trade negotiations (Hulse, 2014). Such autonomy from member states both in terms of institutional procedures as well as resources—key aspects of delegation—is an important factor in explaining when an RO is recognized as a relevant actor (Gehring et al., 2013). Bargaining outcomes in international negotiations also depend on institutional design, but in some apparently surprising ways. Meunier (2005) shows that the EU is able to extract more concessions when it decides by unanimity and has only limited delegation, which suggests that international actorness can actually be detrimental to international bargaining success.

## CONCLUSIONS: DIRECTIONS FOR FUTURE RESEARCH

In this chapter, we have reviewed literature on the causes and consequences of regional institutional design. This is a comparatively recent field of academic inquiry and, as a result, many of the findings presented here require further specification and systematic examination. Three avenues for future research appear particularly promising.

First, whereas most of the literature has focused on cross-sectional variation, questions of institutional change have received much less scholarly attention. This is surprising given the almost universal trend towards supranationalism, especially since the end of the Cold War. What drives this development? And why is the direction of institutional change almost uniformly towards more supranationalism, while backsliding is rare?

It is unclear whether the factors that explain cross-sectional variation readily transfer to institutional change. A fixed effects approach engaging change in regional organizations over time offers a powerful way to control for cross-sectional factors, yet it poses puzzles for each of the approaches discussed here. To what extent can change in state capacities explain institutional change? To what extent can identities, which may also be expected to change slowly, explain the rising tide of delegation? While there has been a general increase in economic interdependence as measured by regional trade, this is not evident in several regions that have witnessed supranationalism, including Europe which has seen no increase in the proportion of its trade that is intra-regional (Marks et al., 2014).

A second promising direction for future research concerns the relationship between formal and informal institutions. Formal and informal institutions work in combination, and so the pertinent questions concern their interaction across policy areas, organizations, and over time (see for example, H eritier, 2007). We suspect that the increasing formalization of regional governance in contractually bargained institutions is perfectly consistent with increased reliance on informal rules. Do formal and informal institutions reinforce each other, or do they often operate at cross-purposes, as the emerging literature on informal governance tentatively suggests? Who decides whether formal or informal rules apply in a particular situation, and how does this affect outcomes?

A third promising area for future research is to compare ROs more systematically with non-regional international organizations, instead of lumping them with preferential trade agreements or alliances, as is often done in the existing literature. Comparison of international and regional organizations promises important insights concerning regional governance. Regional organizations are usually defined in terms of membership size and geography, and hence in juxtaposition to global international organizations. Are ROs distinct from other international organizations, and if they are distinct, how does this affect their institutional design? Might it be possible to explain both phenomena by one and the same set of factors?

## APPENDIX 22.1

# DELEGATION AND POOLING IN REGIONAL INTERNATIONAL ORGANIZATIONS

We measure pooling as an additive index that captures the extent to which authority is transferred from individual member states to a collective member state body in agenda setting and decision-making in six decision areas: membership accession, membership suspension or expulsion, policy-making, drafting the budget, budgetary non-compliance, and constitutional reform. Three elements are included in our

assessment: first, whether the decision rule departs from unanimity to some form of majoritarianism; second, whether the decision is binding rather than voluntary; third, whether the decision comes into force without requiring ratification by individual member states. The weakest link (i.e. the most intergovernmental option) prevails in each decision domain. The maximum score is majority voting over a binding decision without ratification. The minimum score is unanimous decision-making, followed by non-binding decision-making under supermajority, followed by ratification by all member states under supermajority. Supermajoritarian decision rules, partial ratification, and partial bindingness produce intermediate scores. While about a quarter of the organizations in our sample take decisions in all six decision areas by unanimity, an organization like the Pacific Island Forum, which takes binding budgetary decisions and non-binding policy decisions (the Pacific Plan) by majority, is still categorized as low in our assessment. A “typical” organization in the medium category is the Central African Economic and Monetary Union that takes binding budgetary decisions, decisions on budgetary non-compliance, and binding policy decisions all by supermajority in the absence of ratification requirements.

We measure delegation also as an additive index that captures the extent to which states transfer competencies to five types of non-state bodies (general secretariats, consultative bodies, assemblies, executives, judicial bodies) in agenda-setting, decision-making, and dispute settlement in the same six decision areas we assess for pooling. The extent of delegation is a function of the number of non-state bodies and the number of decision areas in which they play a formal role. In dispute settlement, which we examine separately, delegation is a function of the extent to which third-party judicial bodies are independent of member state control, render binding rulings, and non-state actors have access to the body. Low on delegation is an organization like the Gulf Cooperation Council, where the general secretariat drafts the budget, can propose policy decisions and where there exists a Commission for the Settlement of Disputes composed of ad hoc arbitrators that render non-binding verdicts. In the intermediate category, we find an organization like the Organization of Eastern Caribbean States, whose general secretariat—the OECS Commission—serves executive functions, proposes the budget, and has a formal agenda-setting role regarding policy, while the Eastern Caribbean Supreme Court composed of a standing body of justices holds an automatic right to review and generates binding verdicts with direct effect. Into the high category falls the EU with its powerful non-state bodies including the European Commission, the European Court of Justice, and the European Parliament.

We categorize an organization as low on pooling and/or delegation when it scores below 0.12 on our additive index. The medium category reaches from 0.121 to 0.299. Everything above 0.3 on either of the two measures is categorized as high.

**Table A22.1 Delegation and Pooling in 27 General Purpose Regional Organizations (2010)**

Acronym	Name of IO	Delegation	Pooling
AU	African Union	Medium	High
CAN	Andean Community	High	Medium
ASEAN	Association of Southeast Asian Nations	Low	Low
BENELUX	Benelux Community	Medium	Low
CARICOM	Caribbean Community	Medium	Medium
CEMAC	Central African Economic and Monetary Union	High	Medium
SICA	Central American Integration System	Medium	Low
CIS	Commonwealth of Independent States	Low	Low
ComSec	Commonwealth of Nations	High	Low
COMESA	Common Market for Eastern and Southern Africa	Medium	Medium
CoE	Council of Europe	High	Medium
EAC	East African Community	High	Low
ECCAS	Economic Community of Central African States	Medium	Low
ECOWAS	Economic Community of West African States	High	Low
EU	European Union	High	Medium
GCC	Gulf Cooperation Council	Low	Low
IGAD	Inter-Governmental Authority on Development	Medium	Low
LoAS	League of Arab States	Low	Low
Mercosur	Common Market of the South	Low	Low
NordC	Nordic Council	Low	Low
OAS	Organization of American States	Medium	Medium
OECS	Organization of Eastern Caribbean States	Medium	Medium
PIF	Pacific Islands Forum	Medium	Low
SCO	Shanghai Cooperation Organization	Low	Low
SAARC	South Asian Association for Regional Cooperation	Low	Low
SPC	South Pacific Community	Medium	Low
SADC	Southern African Development Community	Medium	Low

## NOTE

1. Hence, we exclude bilateral regional trade agreements, task-specific ROs such as the Central Commission for the Navigation of the Rhine, or largely informal regional groupings such as the G7. On the distinction between task specific and general purpose organizations, see Lenz et al. (2014). Vabulas and Snidal (2013) map the full spectrum of international organizations, including informal arrangements.

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