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## **Rejection of Supranational Institutions Diminishing Regional Integration Potential**

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# **Rejection of Supranational Institutions Diminishing Regional Integration Potential**

Jimmy Santiago\*

The presence of supranational institutions such as the European Commission, the European Parliament, and the European Court of Justice represent one key aspect that has allowed the European Union (EU) to achieve success in terms of fostering integration among member states. Supranationalism can be defined as “a form of cooperation which results in the creation of a new level of authority whose interests and powers are independent of those participating member states.”<sup>1</sup> Embracing this concept of supranationalism, however, can be a very sensitive issue for some nations, which has made it more difficult for other regional integration experiments outside of Europe to establish or accept such institutions. This paper will focus on three regional integration schemes that lack supranational institutions: The African Union (AU), formed in 2002 from the remnants of the Organization of African Unity; the Association of Southeast Asian Nations (ASEAN), which is the oldest of the three established in 1967; and the Common Market of the South (MERCOSUR), established in 1991 in South America. My central argument is that the rejection of supranational institutions has almost certainly diminished the ability of these

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organizations to further advance their regional integration experiments in Africa, Southeast Asia, and South America.

### **Regional Integration Experiments that Lack Supranational Institutions**

In Africa, the AU's regional integration ambitions are hindered in part by a lack of supranational institutions. Like other regional integration schemes outside of Europe, the AU has not been very successful in furthering "integration" among its member states.<sup>2</sup> As noted by Olufemi Babarinde, the overall history of regional integration in Africa is disappointing.<sup>3</sup> For instance, Babarinde notes that African nations "are still better connected to the outside world than to countries on the continent."<sup>4</sup> He further notes how previous regional integration schemes have failed to facilitate the interstate traveling of Africans or unify the "economies" of countries in the continent.<sup>5</sup> The AU has certainly drawn inspiration from the EU model, as has been the case with other regional integration experiments, but its institutions lack the supranational powers of their European equivalents. For example, the African Union has a Pan-African Parliament which in name sounds very much like the supranational European Parliament. As originally envisioned by the African Union, the intent was for this Pan-African Parliament to one day have "full legislative powers", but as of the date of this paper, this institution only "has consultative and advisory powers."<sup>6</sup> In addition, the African Union also originally called for the creation of an African Court of Justice, but this institution as originally envisioned

has not been established.<sup>7</sup> As stated by Babarinde, if the AU wants to “replicate the success of the EU”, it will need to establish effective “supranational institutions” and in particular an effective “Court of Justice.”<sup>8</sup>

The same can be said of ASEAN in Southeast Asia, where the organization’s seemingly innate opposition to supranational institutions has likely impeded further progress towards achieving greater regional integration. Although ASEAN is considered by some observers to have accomplished more than other regional integration projects outside of the EU, it has still fallen short of expectations in various ways.<sup>9</sup> For instance, according to Katja Weber, despite attempts to increase “integration” in the economic realm, “intra-trade relations remains low (compared to external trade)” which “diminishes the significance of ASEAN as an economic actor.”<sup>10</sup> To the disillusionment of the EU “ASEAN has constantly missed deadlines set by itself”, and also failed to establish “monetary cooperation” during the “Asian financial crisis of 1998.”<sup>11</sup> Part of ASEAN’s lack of progress in regional integration can almost certainly be attributed to its lack of supranational institutions. Fraser Cameron, when describing the institutional character of the organization stated that “ASEAN remains a strictly intergovernmental body and there is no indication of interest in sovereignty sharing.”<sup>12</sup> Weber goes even further by stating that ASEAN “outright rejects any form of supra-national decision making” preferring instead “to settle for lowest common denominator decisions.”<sup>13</sup>

Lastly, the absence of supranational institutions seems to have also played a role, among other issues, in limiting MERCOSUR's ability to further its regional integration goals in the South American continent. As noted by Joaquin Roy, Latin America's experiences with regional integration have been "riddled by shortcomings and failure."<sup>14</sup> MERCOSUR, as part of this region, is no exception to this general trend. Roy notes that "institutionally" MERCOSUR remains as "weak as it was" when the organization was first established in 1991.<sup>15</sup> According to Cameron, since the beginning MERCOSUR has sought to emulate the "institutional design" of the EU, but it nonetheless "remains an intergovernmental organization."<sup>16</sup> A main aspect missing from MERCOSUR that sets it apart from the EU is the "lack of supranationalism," as noted by Edward Moxon-Browne.<sup>17</sup> For instance, MERCOSUR is missing the institutions of the EU that are more "supranational" in nature such as the "European Commission or the [European] Court [of Justice]."<sup>18</sup> Furthermore, MERCOSUR makes decisions via "consensus" and the organization does not have a "supranational judicial body to resolve disputes."<sup>19</sup> In essence, MERCOSUR lacks the supranational institutions that could manage the sharing of sovereignty among member states. The prospect for greater regional integration among MERCOSUR member states and the potential to move beyond the confines of an incomplete customs union remain bleak at the moment as there are no plans to grant supranational powers anytime soon to this organization.

## **Conclusion**

In sum, a lack of supranational institutions has almost certainly diminished the ability of various regional integration schemes outside of Europe to further advance their integration goals. Despite the fact that a lot of these international organizations claim to draw inspiration from the EU, the reality is that their somewhat comparable institutions are not supranational, are much weaker, and have less authority than their European counterparts. Incorporating supranational institutions, however, may be easier said than done, as some of the member states of these organizations could incorrectly associate the pooling of sovereignty with loss of sovereignty. Nonetheless, if the member states of the AU, ASEAN, and MERCOSUR truly want to further their regional integration schemes, then they must embrace the concept of supranationalism, its associated institutions, and the pooling of sovereignty if they ever wish to one day achieve the success of the EU.

## Notes

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5. Ibid.
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