
The migration governance in South America: the bottom-up diffusion of the Residence Agreement of Mercosur

Adriana Montenegro Braz

Doctoral Candidate

FLACSO-Ecuador

admontenegrofl@flacso.edu.ec / montenegroadriana@hotmail.com

Prepared for:

Congreso Interinstitucional de Ciencias Políticas y Relaciones Internacionales, 11 a 12 de mayo de 2017, FLACSO-Ecuador

Abstract:

This article offers an alternative explanation for the diffusion theory that focusses on the process of governance emergence from a top-down perspective. This alternative bottom up explanation is tested studying how the model of migration governance in the Mercosur Resident Agreement was formed. In that sense, the article evaluate the actors that were involved in the Agreement, their main interests and institutional conditions, as well as the modes of interaction that prevailed among them. Based on interviews with key actors, documents and academic literature on the subject this article concludes that the Agreement was mainly the result of the Brazilian and Argentinian negotiations. Brazil needed to boost regional cooperation after Mercosur crisis and considered that a joint migration amnesty could have a positive impact in the regional block's image. However, the Argentinian experience in migration issues was the one that allowed for a more coherent policy in the matter, which in the end was accepted by the member states as the best policy option for the region. Therefore, I sustain that the mode of interaction in the Residence Agreement negotiations was a bottom up process of diffusion of the Argentinian experience through the region

Keywords: Mercosur, bottom up diffusion, diffusion mechanisms, regionalism, governance, migration.

This is a preliminary draft. Please do not cite or distribute without permission of the author

Introduction

Unlike other cross-border issues such as the environment, international trade, organized crime, etc., there is no formal governance structure to manage migration in a general mode. The migration issue is dispersed and has been divided up among several international instruments dealing with various aspects of the topic through different approaches (asylum, irregular migration, labor migration, etc.). In addition, there is no formal institutional framework that covered all migration subjects; the United Nations High Commissioner for Refugees (UNHCR) deals only with asylum topics and the International Organization for Migration (IOM) was only recently classified as a related organization of the United Nations (UN) system in July of 2016. Furthermore, one of the few multilateral instruments dealing more comprehensively with migration issues is the Convention on the Protection of All Migrant Workers and Their Families of 1990, which recently came into force in 2003, and has only 38 signatories, none of which are developed countries (Lavenex et al. 2016; Betts 2010, 8–13).

However, it cannot be argued that no global migratory governance exists, rather it takes different forms depending on the type of migration issue being addressed and the levels of coordination established in each case. Regarding irregular migration and the free movement of people, there has been an enormous reluctance to adopt a comprehensive multilateral framework. Most of the cooperative efforts in this area have been addressed at the regional level, specifically within regional integration frameworks such as the Southern Common Market (MERCOSUR), European Union (EU), and North American Free Trade Agreement (NAFTA), among others, where these frameworks have addressed the liberalization of internal mobility flows and irregular migration (Lavenex et al. 2016, 457).

Literature on the subject has pointed out that the emergence of regional migration governance schemes follows either a top-down diffusion process of global scripts or independent regional/domestic concerns. The first explanation concentrates on “common values” such as human rights or supposedly successful models of regionalism. The regional/domestic concerns explanation points to internal decision-making approaches, such as spillover effects of economic integration or the geopolitical or domestic economic interests of States.

This paper offers an alternative explanation that takes into consideration not only states' interests, but also the ways in which their previous experiences influence other agents' preferences. This third approach focusses on the diffusion process of emergence of migration governance, but from a bottom-up point of view. Usually diffusion literature explains policy diffusion from a top down perspective, this paper argues that the migration policy templates were not the global ones but on the contrary there was a bottom up process of regionalization of domestic policies. In that sense, this article considers that the negotiation of the Agreement on Residence for Citizens of the States Parties of Mercosur and Associated States (hereinafter referred to as Agreement)¹, signed in 2002, presents an excellent illustrative case for this third option.

This paper analyzes how the model of migration governance in the Agreement was formed and how this policy was diffused. This study also raises two supplementary analyses, the first one evaluates the kind of actors that were involved, their main interests, and the institutional conditions in the negotiation process of the Agreement. The second one, evaluates the modes of interaction that prevailed among the actors. In other words, was the Agreement a process of independent decision-making or policy diffusion, and what process or mechanism can explain its implementation?

In this article, I argue that the Agreement was mainly the result of the Brazilian and Argentinian negotiations. Brazil needed to boost regional cooperation after Mercosur crisis and considered that migration policies could have a positive impact in the regional block's image. However, the Argentinian experience in migration issues was the one that allowed for a more coherent policy in the matter. At last the Argentinian experience was accepted by all members as the best policy option in the region.

The focus on Argentina and Brazil does not intend to suggest that the presence of the other signatory countries (Uruguay, Paraguay, Bolivia and Chile) was irrelevant during the negotiation. Clearly, an erosion of their support would have blocked the Agreement. However, the two larger countries played a fundamental role in the negotiation process, since they were the ones who came up with different proposals and offered different scenarios within which the other states could choose.

¹ This instrument constitutes a cornerstone in the advances of migration policy worldwide because it proposed nationality as a single criterion to access to residence legally within the block.

Why migration governance?

The dynamics of interstate cooperation have traditionally been studied in the international relations field in the context of regimes, understood as “implicit or explicit principles, norms, rules and decision-making procedures around which the actors’ expectations converge in a given area of international relations” (Krasner 1982, 186). Early literature on the subject observed regimes from a state-centric perspective and as independent, stand-alone entities, concentrating mainly on their origins, effectiveness and implementation consequences (Betts 2008, 4; Gómez-Mera 2016, 5). Over the last two decades, regime scholarship has concentrated on the institutional interplay and regime complexity that govern a particular issue area. However, even with these enhancements, the regime approach does not grasp the complexity of the hybrid and multi-jurisdictional nature of regional norms and practices as effectively as the governance approach, especially regarding migration issues (Bevir 2011, 2).

Understanding governance as an agenda of investigation of interstate cooperation enables an understanding of an order construction above and beyond the nation state (Hall y Bevir 2011, 353). More specifically, we can analyze governance as a set of rules, roles and social practices that are generally distinguished from the idea of government because there is no single, overarching authority to enforce them (Betts 2010, 6).

There are several reasons to concentrate on governance instead of regime theory. First, the term governance in international relations has been developed in order to deal with the different and overlapping levels of construction of an international order (local, national, regional and international) that are needed to address the globalization process, in terms of trans-boundary interconnectivity and cross-border spillovers and externalities (Betts 2008, 6). If governance means governing without a government, then it is possible to see how a set of norms, policies, roles and practices matter as part of the patchwork of the international order. Specifically, it allows us to appreciate the complexity of migration norms and practices, and to see how a specific migration policy engages with different aspects of the subject at different levels, in institutional arrangements and in different jurisdictions.

Second, although regime theory has recently addressed the complexity of subjects within a given issue area, the governance approach can better explain the multidimensional nature of these regimes. In that sense, the governance lens allows us to perceive the different subfields that a specific matter can address (Hall y Bevir 2011, 352). This is especially relevant to study migration policies, since they deal with at least three different issues: (i) an economic focus on facilitating mobility as a factor of production; (ii) a right-based emphasis on the civil rights of migrants; and (iii) a security focus that stresses migration control and the fight against irregular migration (Lavenex et al. 2016; Betts 2010, 7).

Finally, unlike regime theory, the governance approach has drawn more attention to the processes and interactions through which all kinds of interest groups such as states, regional integration schemes, international organizations (IO) and non-governmental organizations (NGOs) produce regional policies and practices. (Gómez-Mera 2016, 5–8; Jörgens 2004, 248). Moreover, if governance means the construction of an order beyond the State, there are various forms of governance at different levels, from bilateral agreements to regional and sub-regional organizations. As previously mentioned, migration regimes take different forms depending on the type of migration issue being addressed and the governance level; that is why governance is a concept that better grasps this complexity.

Governance can be associated with a wide variety of phenomena ranging from rules, institutional structures, political decision making and policy instruments. Therefore, it is necessary to specify what we are referring to when we analyze it. The different definitions of governance can be classified according to whether they emphasize the polity, politics and policy dimensions of it (Treib, Bähr, y Falkner 2005, 4).

Governance as a *polity* refers to the system of rules forming the framework for political action. Thus it is conceptualized as an institutional system. Alternatively, governance as *politics* is defined as the decision-making process in which diverging and common interests and political views are, overtime, consolidated and developed to reach a concrete political goal. In other words, it can be matched to the process of policymaking. Finally, governance as a *policy* can be related to the material dimension of politics, covering the objectives and roles through which political solutions are found. In that sense, policies are the modes of political steering that define how a

political goal should be achieved (Treib, Bähr, y Falkner 2005, 4–6; AALEP 2015). Since the aim of this article is to discuss how the model of migration governance of the Agreement was formed, it will concentrate on the concept of governance in its political dimension, examining the process through which this policy was formed in the regional arena.

The emergence of regional migration governance

There are two explanations for the emergence of regionalism, which is understood as a State-led process of building and sustaining formal regional integration and governance (Börzel y Risse 2016a). *The first* considers that examples of regionalism are particular responses made by a set of countries to solve the problems that confront them. In other words, they result from the independent decision making of one region or group of countries faced with problems generated within the region (endogenous) or outside it (exogenous), such as the challenges created by the international economic interchange, the free movement of people, capital and goods, or the general process of globalization. The literature that focuses on neo-functionalism and intergovernmentalism represent the most common independent decision making responses to regional migration cooperation (Risse 2016, 87; Jörgens 2004, 250–51).

Neo-functionalism considers that deepening integration in the economic sector would create the conditions for a greater degree of integration, including in other areas such as politics and social society, known as the *spill over* effect (Haas 1958). According to this theory, labor mobility, as an intrinsic part of economic regionalism, should reflect the level of market integration achieved, and can be explained as part of the regional integration process. However, some authors have pointed out that the Agreement was adopted during a period in which the process in which MERCOSUR's customs union was stagnated and a combative negotiation of the bloc's economic goals (Lavenex et al. 2016, 470; Margheritis 2012, 2). In that sense, neo-functionalism cannot fully grasp the nature of the interests at stake during the negotiation of the Agreement.

Liberal intergovernmentalism, on the other hand, argues that states and their agents shape regional cooperation in order to protect their geopolitical and economic interests and the interests of their constituencies (Söderbaum 2011, 10; Söderbaum 2009, 480; Söderbaum 2005, 5–8; Oyarzún Serrano 2008, 100–104; Börzel 2016, 2–3). Indeed, the

Agreement responded on one hand, to the Argentinian interest to overcome the problem of irregular migration from neighboring states (Lavenex et al. 2016), and on the other hand, the Brazilian interest to address migration issues in order to strengthen the social agenda of Mercosur during its Pro Tempore Presidency (PPT) (OIM 2014; Alfonso 2012, 47–52). Although this explanation could offer a good account of the process of preference formation during the negotiation of the Agreement, it cannot clarify how the previous Argentinian experiences with migration issues have influenced agents' choices. Moreover, this theory cannot explain why the Agreement was adopted later on by countries that were not part of the Mercosur negotiation process, such as Ecuador, Colombia and Peru.

The second explanation about the emergence of regionalism focuses on the interdependencies between nation states and other international actors. This explanation emphasizes the diffusion process of regionalism *per se*, the institutional models of regionalism and the modes of governance in the regions (Risse 2016, 87–88). Diffusion can be understood as the “process where prior adoption of a trait or practice in a population alters the probability of adoption for remaining non-adopters” (Strang 1991, 325). For this paper the idea of process is central because although there is a good amount of literature that considers the adoption or rejection of a norm as part of the diffusion literature (Zimmermann 2014), diffusion relates to the process that leads to a pattern of adoption, and not to the outcome that results from it (Risse 2016, 89; Gilardi 2011, 3). The rationale for diffusion is that actors during a process of policy formation prefer readily available information about which ones are the most effective or the most appropriate policies in a given situation. (Risse 2016, 87–88).

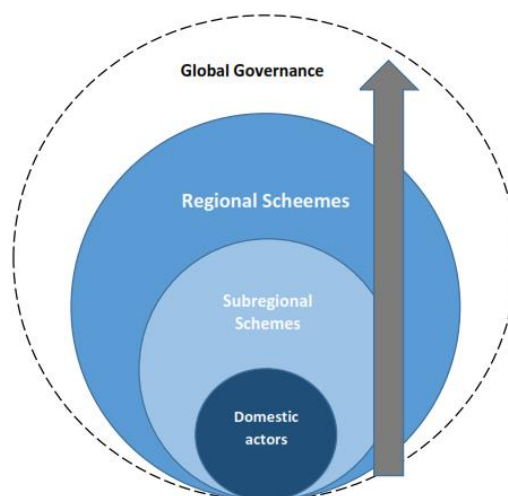
It is worth mentioning that one of the main gaps in diffusion literature in international relations has been that it only considers only the top-down or horizontal dissemination of policies leaving aside bottom up mechanisms. Global scripts such as “common values,” human rights or supposedly successful models of regionalism are deemed the most effective or appropriate to be adopted. Moreover, most of the literature on diffusion has focused on the ways countries or regions have adopted Western approaches. In that sense, the formal institutionalization of the European Union (EU) (Söderbaum 2013; Breslin, Higgott, y Rosamond 2002, 17) or the governance schemes of International Organizations (OI) (Finnemore 1996) have been the templates to

compare other forms of regional integration around the world (Börzel, Lohaus, y van Hüllen 2013).

This led some authors to criticize the Western or Eurocentric approach, rejecting the tendency to see Western models as paradigmatic cases to follow. In particular, they emphasize that the historical, political, economic and normative traits of the EU and other Western regional integration schemes, deemed successful, cannot have universal applicability because they are historically and geographically bounded (Acharya 2016, 108–9). The scholarship on regionalism beyond Europe is not new, but its development has proliferated in recent years.

These non-Eurocentric initiatives constitute, at the most, examples of horizontal diffusion mechanisms of regional integration. However, in matters of policy diffusion it is necessary to differentiate between the diffusion of the regionalism *per se*, the diffusion of regional organizations' (ROs) designs and the diffusion of governance. It is clear that the available information on regional orders *per se* can only be found in previous cases, but when it comes to institutional design of ROs or modes of governance; it is possible to find solutions at the domestic level policies or experiences. Moreover, domestic policies that inform regional governance schemes are more likely to work because they take into consideration local conditions and institutional frameworks, as well as local interests and values.

Figure 2. Bottom-up approach to the diffusion of regional governance



Different diffusion mechanisms

Diffusion theories explain not only the existence of the phenomenon as it is, but also the process and patterns of diffusion. Generally, the literature on the subject recognizes four types of diffusion mechanisms: *coercion, competition, learning and constructivist approaches* (Dobbin, Simmons, y Garrett 2007, 449–50). However, building on Börzel, Risse (Risse 2016, 89; Börzel y Risse 2016b, 52–53) and Archarya (Acharya 2011; Acharya 2004), this article establishes a typology that distinguishes between two logics of social action and two types of drivers to illustrate the different regional diffusion mechanisms (Table 1). Mechanisms are understood as sets of statements that provide plausible accounts of how policy choices in one country are conditioned by prior policy choices made in other countries.

The *logics of social action* explained in Table 1 distinguishes between two different epistemological views: the logic of consequences and that of appropriateness. The former considers that actors are rational and have pre-set preferences; thus they can calculate the costs and benefits of their actions before making a decision. Also it analyzes the different mechanisms from a positivist perspective, linking two or more variables to empirically distinguish one mechanism from another (Gilardi 2011, 13). The logic of appropriateness, on the other hand, is based on a constructivist approach and studies how the preferences of actors are formed through social interaction. Their goal is not to empirically distinguish one mechanism from another, but instead to understand how an international policy comes to be socially accepted through the construction of common norms, values and identities (Finnemore 1996).

The *types of drivers* listed on the horizontal axis of Table 1 explain the diffusion mechanisms through the agent-structure debate. The norm-makers approach (supply side factors), are those who can generally be understood from a structural or systemic view. The structure shapes individuals thoughts and actions, which are predetermined by macro-phenomena such as culture and political institutions. While the norm-takers view (demand side-factors) stresses the agency of the states. In other words actors have capacity to act upon situations since they are relatively autonomous beings. This distinction does not considered that agency and structure are completely opposed, but rather two separate, albeit connected phenomena (Sibeon 1999, 139–40). Therefore, at

times, actors would have more agency capacity, and in some other instances, macro phenomena would have a larger stance in shaping agents preferences.

The first box in Table 1 focuses on the standpoint of the norm suppliers from a rational perspective, which includes the mechanisms of coercion and incentives (positive and negative). The main actors are powerful countries, regional or international organizations as the sources of the norms diffusion. The perspective of the norm-takers receives little or no consideration within these mechanisms. Moving in a clockwise manner, the second box that corresponds to the mechanisms from the point of view of the norm makers, takes into consideration the same kind of actors, states with greater status or international organizations. However, they appeal to the social construction of the norms, roles and social practices.

The third box represents a constructivist approach, but the type of mechanisms concentrates on the role of the norm-takers (regional/domestic agents), since this view considers that most of the international policies are not passively adopted. The last box represents the mechanisms that combine a rational perspective and a norm-taker point of view. Like the constructivist norm takers approach the mechanisms of competition and lesson drawing consider that norms are not simply imported. Though, they rely in a rational cost-benefit analysis.

Table 1: Different mechanisms of diffusion;Error! Vínculo no válido.

<i>Logics of social action</i>			
		<i>Logic of consequences</i>	<i>Logic of appropriateness</i>
<i>Types of drivers</i>	<i>Supply</i>	Coercion	norm makers approach
		Incentives	
	<i>Demand</i>	Competition	norm takers approach
		Lesson Drawing	

Source: (Risse 2016, 89; Börzel y Risse 2016b, 52–53; Acharya 2004; Acharya 2011)

Coercion mechanisms operate when certain states, international organizations or private actors impose the adoption of a norm. In this scenario, norm recipients have no choice but to accept it, because they are threatened with the actual use of physical violence (Börzel y Risse 2016b, 52; Gilardi 2011, 13). For this reason, some authors consider

that coercion cannot be a diffusion mechanism because diffusion should be voluntary (Gilardi 2011, 3; Jörgens 2004, 251–52). However, the opposite of diffusion is independent decision-making and not the voluntary nature of a policy. Diffusion through coercion in the case of regionalism is rare, but some authors have pointed out as an example the EU's imposition of the 1999 Stability Pact for South Eastern Europe for the Western Balkans after the wars in Post-Yugoslavia (Börzel y Risse 2016b, 53). In relation to migration, it is necessary to stress that coercion is generally not used in “low policy” issues. However, there are regions that had set certain conditions in order to establish standards of migration governance in some regional processes, which involves the second type of mechanisms.

Some international actors use a “carrots and sticks” approach (positive and negative incentives) in order to manipulate the utility calculation of third countries. These incentives range from the manipulation of economic benefits and costs of adopting a norm to the monopolization of information and expertise. An example of this would be the conditions established by international financial institutions (IFIS) to access credit (Dobbin, Simmons, y Garrett 2007, 454–55). For example, Burton (Hafner-Burton 2005) has argued that a growing number of preferential trade agreements (PTAs) play an important role in governing state compliance with human rights, since human rights alone lack the necessary conditions to supply strong incentives to outweigh defection.

The competition mechanism also refers to changes in incentives, but it sees the incentives from the norm-takers perspective. In that sense, new policies do not come from powerful actors but from direct competitors. Although power plays a role in this mechanism, it is the market power or decentralized economic forces (rather than a powerful public or private actor) which leads to the adoption of a certain policy (Dobbin, Simmons, y Garrett 2007, 457–59; Gilardi 2011, 15).

The learning mechanism involves a shift in beliefs or ideas held by individuals. Learning occurs when new evidence discovered by norm-takers changes their views. A new policy spreads when policy makers or political elites update their beliefs about what could work in their country based on the experiments and experiences of other countries. In that sense, research on learning has to prove that evidence of policy efficacy increases the probability of its adoption elsewhere (Dobbin, Simmons, y Garrett 2007, 450, 460–62). This process can be completely rational if the actors

conduct thorough cost-benefit analyses that imply a Bayesian model of knowledge accumulation. However, in some cases it can obey to bounded rationality if policy makers use cognitive shortcuts that do not take into consideration all available information (Dobbin, Simmons, y Garrett 2007, 460; Gilardi 2011, 18).

Although in many cases these different mechanisms are commingled, the rationalist perspective considers that it is necessary to design ways to empirically distinguish one mechanism from another (Dobbin, Simmons, y Garrett 2007, 450). As metioned before, this distinction can be represented by formal models, linking two or more variables in order to distinguish one mechanism from another (Gilardi 2011, 13)

The mechanism in the logic of appropriateness considers that, in order to analyze why a policy diffuses, it is necessary to understand how it became socially accepted.

Therefore, decision makers are constrained by a normative context where state interests and identities define a common understanding of what is good and appropriate. Most of the literature of constructivist diffusion focuses on knowing the actors that have more incidence when adopting a certain norm, which has divided the constructivist debate into two different waves.

The first wave appeals to cosmopolitanism or universalism of the international norms and uses an approach based on the international structure. Accordingly, standards of "universal" character, such as human rights, norms to regulate war, etc., are propagated because the international community considers them legitimate or appropriate. The actors who spread such standards are international actors (States with higher status or international organizations) that perform a kind of moral proselytizing. Resistance or lack of compliance with these standards at the local level is considered illegitimate or immoral (Acharya 2004, 147–148; Acharya 2011, 9-13). Therefore, the first wave of constructivist diffusion emphasizes the way in which these international norms inform states about what are the appropriate, possible and desirable behaviors in a given situation, thus shaping their identity.

The second wave, however, emphasizes the ways in which internal normative structures, and the identities and interests of domestic actors condition the reception of international norms (Acharya 2004, 147–49; Acharya 2011, 9–13; Cortell y Davis 2000, 65–67). Scholars of this wave examine what rules are of interest to States, and when and

under what conditions international standards shape domestic interests (Checkel 1999; Acharya 2011; Cortell y Davis 2000).

The following sections analyze the diffusion of the Resident Agreement in Mercosur as a bottom-up process. Based on interviews with key actors, documents and academic literature on the subject, I reconstruct how a migration policy that was being developed in one Mercosur country and its experience on the subject was diffused in the regional arena. I employ a process-tracing approach to illustrate how the policy contained in the Resident Agreement was diffused from the bottom up, and which mechanisms were preferred in the negotiation process.

The background of the diffusion process

The Argentinian migration policy

Argentina has historically been a receiving country for European immigrants, mainly until 1930, and from Latin America, in a steady way, since the end of the 19th century. International migration has been an important and debated issue in the history of Argentina. A brief overview from a long-term perspective allows us to more accurately assess recent achievements (Novick 2017).

During 1870-1930 there was a promotion of massive European immigration associated with the colonization process and the agro-exporting strategy of Argentina. Demographically the massive European immigration influenced the size of the population that went from 1.8 millions of habitants in 1870, to nearly 12 million by the end of 1920. Therefore, migration issues were regulated very early with an open vision, especially in reference to the major migration influx of the country. As an example, the National Constitution of 1853 granted protection to foreigners by extending civil rights under the same conditions as nationals. In addition, the famous Avellaneda law of 1876, in force until 1981, formally stimulated European immigration and created the General Department of Immigrations within the Ministry of Interior that was in charge of formulate and control the policy in migration issues (Novick 2010).

The second stage (1930-1945) was marked by the retraction of the international commerce and the reduction of the capital inflows and prices. Most of migratory flux from Europe began to decrease by 1914, reaching its peak by 1930, while the number of

regional immigrants began to increase. The laws that in the first instance promoted migration become more restricted and nationalized in order to protect the domestic market against high unemployment rates (Novick 2017; Novick 2010).

In the third stage, 1946-1955, industrialization began a steady growth. The internal market and therefore the labor force became a priority in this process of expansion. There was a new influx of European migration after the II Great War, but it did not reach the previous numbers of the beginning of the century. During this period the number of regional migrants continued to increase. The Constitution in Peron's government established that the federal government was in charge of promote European migration, and those migrants who entered in a legal way were granted all the civil rights, and the political rights after 5 years of residence. The National Direction of Migration (DNM) was created in 1949, concentrating the competences of other institution in the subject(Novick 2010).

In addition, since the 1950s, a large number of undocumented migrants have regularized their situation in Argentina thanks to amnesty decrees. Between 1949 and 1995 this country implemented six migratory amnesties². These exceptional measures constituted key elements for open and non-selective population policies. While not all of these measures were aimed at regional aliens, they were the most benefited by it (Novick 2010).

Between 1955-1962 and 1966-1973 national development was based on the industrialization by substitution of imports (ISI). The state became more authoritarian and bureaucratic in order to insure the accumulation of capital within the rural oligarchy and the industrial sector. Migration was seen in a contradictory way, between the necessities to incorporate European migrants into the industrialization process, but at the same time expelling unwanted or illegal immigrants from the territory (Novick 2010).

² Amnesty Decree No 15.972 of 8 of July of 1949; Amnesty Decree No 3.364 of 4 of August of 1958; Amnesty Decree No 49 of 3 of January of 1964; Amnesty Decree No 87 of 11 of January of 1974; Amnesty Decree No 780 of 12 of January of 1984; and, Amnesty Decree No 1.033 of 24 of June of 1992 (Sassone 1997, 4).

When the coup d'état took place in 1976 and during the authoritarian government that lasted from 1976 to 1983, the national government implanted a new development strategy based on the deindustrialization and the liberalization of the economy. This was accompanied by migratory policies who considered Latin American migrations as a "problem" that had to be resolved through police control and the express prohibition of labor for "illegal migrants". In 1981, the General Law on Migration and Promotion of Immigration was enacted. This law, tied to the Doctrine of National Security, encouraged European immigration associated with the colonialization process, while regional migration was restricted, and the activities of control of immigrants increased (Novick 2010; Novick 2017).

After the return to democracy the migratory issues enters a stage of transition (1984-1989). The heavy external debt, industrial recession and the fall of the international prices of agricultural products initiated a period of economic adjustment, in a clear trend towards neoliberalism that had an impact in migration policies. Although two migratory amnesties took place during this period, one in 1984-85 and the other in 1992-94, they were followed by periods of restrictive immigration policies and patrols for the status of migrants. In addition, during this time the norm sanctioned in 1981 during the military dictatorship was reinforced in its legitimacy through the adoption of two regulations that were aimed at implementing it: the first one developed by Alfonsín in 1987 and the second by Menem in 1994. Both of these regulations contained a restrictive immigration policy and a police view of the migratory phenomenon (Novick 2010).

By the turn of the century, the law of 1981 was still in force. It was not easy to dismiss the images of the migrants created in the dictatorship period. Nevertheless, since 1996 there was an active participation of non-governmental organizations (NGOs), International Organizations (OI), religious institutions, labor unions, academic groups, etc. along with the Congress and the executive institutions in charge of migration to modify this military law. Several projects were presented without success, however in 2001 it was possible to present unified project to the Congress that was later approved in 2003 (Novick 2017). The project was ambitious, but its participatory nature laid out a general vision of migration that allowed for a long term strategy that would facilitate mobility as well as a more open and tolerant stance towards migrants. This discussion in

the last instance would shape the proposal of Argentina to the Mercosur. As one of the interviewees said:

... Argentina had the initiative (for the Agreement) but it is not only that it was being proposed for Mercosur, it was mainly planned for Argentina itself, the draft of the new immigration law was already under discussion... , somehow this discussion transferred the concern that we had for Argentina itself to the Mercosur sphere³

Mercosur and its migration agenda

In 1991 Argentina, Brazil, Paraguay and Uruguay signed the Asunción Treaty that gave birth to Mercosur, whose main objectives were to liberalize intraregional trade in goods and the formation of a common market by 1994. The treaty clearly focus on having a commercial agenda in tune with the model of new regionalism, and a neo-liberal program, this led some scholars to speak of the social deficit of the Mercosur. In that sense, this treaty conceptualized people's mobility in terms of market mechanisms as part of the free circulation of the factors of production such as capital, goods, services and labor.

During the transition period towards the goal of creating a common market, no entity dealt directly with migration issues. Only two Sub-Groups⁴ under the Common Market Group, the executive organ of the integration process, dealt indirectly with migration. The first was the Sub-group 2 (SGT2) of customs matters, which dealt with some issues pertaining to the movement of people. The other was the Sub-Group 11(SGT11), which addressed labor issues. However, the latter sub-group began a series of actions envisioning a future that embraced the free circulation of people, hypotheses that were reinforced after the Cronograma de las Leñas which established a timetable for the common market (Mármora y Cassarino 1997).

Nevertheless, by 1994 it was clear that the goal to form a common market was too ambitious, and it was necessary to redefine the goals and the schedule of the regional integration process. The Protocolo of Ouro Preto, signed in December of 1994, inaugurated a second stage that gave priority to the formation of the customs union, thus focusing on the agenda of free movement of goods and capital. During this second

³ Interview 06, 21/10/2016.

⁴ The aim of the Sub-groups was to call for special meetings to deal with issues of interest

stage, migration issues were less front-and-center than before. The new Sub-Group 10 (SGT 10) on “Labor, Employment and Security,” heir to the late SGT11, worked under the premise that the free circulation of labor was excluded; therefore, migration issues were treated as “labor movements in border zones and largely [placed] back at the national level of policy-making” (Margheritis 2012, 6).

Although Ouro Preto focused on trade and commerce, the second half of the decade saw a progressive deterioration in economic cooperation within the bloc. During this time member countries compliance with the agreement decreased and diplomatic and commercial tensions developed. By 1998, levels of intra-regional trade began to fall drastically (Gómez Mera 2013, 14–16). Meanwhile, in the late 1990’s the discussion on common social and labor issues revived. In 1997, a Multilateral Agreement on Social Security was signed for the establishment of common norms to guarantee the right to social security benefits for Mercosur nationals within the trade bloc. Later in 1999, an Economic Social and Consultation Forum was created within Mercosur that served as a channel for participation and consultation with business associations, unions and NGOs on social and labor matters, which included migration issues (Margheritis 2012, 6).

The drastic fall of intra-regional trade vis-à-vis the diplomatic and commercial tensions reached their climax after the double economic crises in Brazil (1999) and Argentina (2001) (Caetano 2011, 20–41; Quiliconi 2013, 153; Sanahuja 2007, 82–85). However, member countries committed to maintaining their integration within the bloc and therefore took several measures in response. First, following the Argentine financial collapse, Brazil made some temporary concessions to its weakened partner (Gómez Mera 2013, 15–20). In addition, members proposed an institutional reengineering of the Mercosur with a less intergovernmental view. In this regard, one can mention the transformation of Administrative Secretariat into a Technical Secretariat and the creation of the Permanent Review Tribunal of Mercosur, whose aim is to function as a dispute settlement system, both occurring in 2002 (Caetano 2011, 42–43).

It is necessary to point out that in July of 2002 Brazil initiated its Pro Tempore Presidency, headed by the president Fernando Enrique Cardoso. Mercosur was always thought of as an alternative hub from which Brazil could reinforce its position in the South American sub-region (Quiliconi 2014, 245–46). However, Cardoso initiated a series of activities to further promote the integration process, in particular considering

the salience of the subject during the Brazilian election campaign that was to be held in 2002. Luis Inácio Lula da Silva, leader of the Labor Party in Brazil and the candidate who would later win the presidential election, consistently promoted Mercosur (Caetano 2011, 44).

In addition to the trade concessions made and institutional reengineering of Mercosur, the financial crises allowed for the deepening of the political and social dimension of the bloc. The end of neoliberal convergence and the economic and political problems that the countries of the Southern Cone experienced in the late 1990's had an impact on the bloc's agenda. Mercosur turned from being centered on commercial issues to include political, social and productive issues. Some authors mark as the moment of political change the signature of the "Consensus of Buenos Aires" in October of 2003, when left wing presidents Néstor Kirchner and Luiz Inácio Lula da Silva pointed out that Mercosur should aim for the development of an integration model that focuses on social justice and the dignity of its collective citizens. However, it can also be said that consistent steps to modify the commercial bias of Mercosur were taken after the double financial crisis and disenchantment with the neoliberal agenda (Vazquez 2011, 172–73). The Resident Agreement is one of the proposals that, although ambitious at the time, had a profound impact on the regional bloc.

The negotiation of the Residence Agreement of the Mercosur

December 6, 2002 the Presidents of Argentina, Brazil, Paraguay, Uruguay, Bolivia and Chile signed the Residence Agreement after a series of negotiations that took place during the Pro Tempore Presidency of Brazil. This instrument constitutes a cornerstone in the advances of migration policy worldwide because it proposed nationality as a single criterion to access to legal residence within the territory of all member countries as well as other associated states. In other words, in the first instance, regional migrants only have to prove to be a national of one of the States parties or associated members of Mercosur to access temporary or permanent residence. This made a difference with the traditional criteria of migratory legislation worldwide, where a residence has to be linked to a commercial activity, labor, studies, family reunification, among others (Nicolao 2015, 8–9).

In addition, formal requirements of entry between the signatory countries were unified and simplified. It was only necessary to prove the national criterion and other data for the application. The Agreement also included references to migrant's human rights, such as the right to freedom of movement and access to any activity under the same conditions as nationals. At the same time it established equality concerning civil rights, the right to family reunification, to receive remittances and to register the children of immigrants (Nicolao 2015, 8–9).

In order to understand the negotiation process of the Agreement it is necessary to note that its first discussions took place in the Specialized Migration Working Group that was part of the Meeting of Ministries of Interior. This Meeting was established in 1996⁵ within the Common Market Council with a strong vision on security matters. On the first reunions of the Migration Working Group, their main activities focused on migration border control and the permanence of foreigners in the territory of the party members. However, by the beginning of the 21st century the Meeting of Ministries of Interior began to adopt a series of decisions in migration issues with an agenda less centered in security matters (Alfonso 2012, 37–41; Mercosur 2015, 4–20).

In the second semester of 2002, Brazil entered in the Pro Tempore Presidency of Mercosur. This was the last presidency of the President Fernando Henrique Cardoso, since national elections to designate a new president in Brazil were to be held in October of 2002. As was mentioned before, the end of the neoliberal convergence and the Mercosur crisis led the regional leaders to initiate activities to further promote the regional block. The institutional reengineering of Mercosur and the promotion of the political and social dimensions of the block were such responses.

Cardoso also wanted to leave a mark in the integration process, in particular considering the salience of Mercosur during the Brazilian election. Luis Inácio Lula da Silva, leader of the Labor Party in Brazil and the candidate who later won the presidential election, consistently promoted the integration block as one of his strong themes during the election campaign (Caetano 2011, 44).

⁵ MERCOSUR/CMC/DEC No. 7/96.

Therefore, on August 30, 2002 during a meeting of the Specialized Migration Working Group that took place in Porto Alegre, a Brazilian delegation presented a project for a migratory amnesty for Mercosur. The project proposed to start a joint regularization process in all the countries of the block. It was thought as an exceptional measure that would favored Mercosur's nationals within a period of sixth months and could prompt the social aspects of the integration block. All the other countries' delegations agreed to study the proposal for the next meeting (Alfonso 2012, 48–49).

In October of 2002, during the meeting that took place in Curitiba, Brazil, Argentina through its Ministry of Interior presented a draft of the Agreement on Residence, as a counter-proposal to the Brazilian suggestion to implement a regional amnesty. As mentioned before, Argentina had a long experience in migration issues, and in the last years regional migrants represented 85% of the foreigners that this country has received. In special, Argentina has witnessed how migratory amnesties processes implemented in its country, followed by periods of closing borders, only increased the number of people in irregular situation in its territory (Alfonso 2012, 51; Modolo 2012, 48).

The functionaries of the DNM, department of the Ministry of Interior of Argentina, who elaborated the draft of the Agreement, had in their view that it was impossible to stop migration in large border countries such as Argentina. Therefore, it was necessary to implement *real alternatives* as they catalogue their policy proposal for the Mercosur. This view considered that a permanent immigration regularization policy would allow Mercosur's countries to know who the people that entered their territory were. This will allowed them to recognize their fingerprint and address, as well as to provide them with an identification document. Second, they considered that irregular migrants easily end up as illegal migrants and become victims of smuggling, trafficking in persons and irregular jobs. If it was true that foreigners were stealing jobs from local people, then regularizing them will put them in the same labor conditions⁶(Alfonso 2012, 50). Finally, there was also a need for signaling a difference with the migration policies of the countries of the North. Mercosur member states were especially concerned with the violation of the fundamental rights of their citizens abroad after September 11th (Nicolao 2015, 4).

⁶ Interview 03, 18/10/2016.

As it can be seen, the reasons stated by the DNM for the implementation of the Agreement have an administrative and security view of migration, in tune with the issues being discussed at the Mercosur Meeting of the Ministries of Interior. Although, the Agreement grants fundamental rights to the migrants, from the interviews made to late DNM functionaries, their main concerns were about the identification of migrants within the territory of member states and the control of illegal activities that can be related to migration. However, this view was certainly a progress compared to the security's migration laws of Mercosur's countries, some of which were still from their dictatorship's period. Moreover, this view was reformist in international standards, were most of the migration laws were based in the closure of borders.

This change of mind cannot be ascribed only to the DNM functionaries, but as we stated before, from the accumulation of the Argentinian experience in the subject. In that sense, it is necessary to point out that Argentina was going through a process of discussion of its future migration law since the mid-1990s. It was a process of intense negotiations between the Congress, the executive institutions in charge of migration issues and civil society. These participatory discussions under a more human and social rights perspective influenced the discourse on migratory issues in general, and shaped the future migration policy, not only in Argentina but in the region as well.

In addition, it is important to mention that the policies contained in the Agreement had not yet been implemented in Argentina before. The draft of the Agreement was a pilot project that that was developed through the Argentinian experience of what went wrong with their migration policies in their country before, and not what worked. That is why the policy contained in the Agreement was extremely *avant-garde* for the time.

After the Argentinian proposal, delegates of other countries were surprised and even made several questions about the matter. Moreover, delegates went to an intermediate room to discuss the topic more profoundly. The main negotiators in this room were the Argentinian DNM, the Brazilian Department of Foreignness of the Ministry of Justice and the Migration Division of Itamaraty. Half an hour later the members came out and Brazil announced that it retrieved its proposal of amnesty in favor of the project of the

Argentinian Delegation⁷. Paraguay and Uruguay were in favor of the principles that inspired the proposal for the Residence Agreement, but informed that they needed to make previous consultations before taking a decision (Alfonso 2012, 51).

Argentina has been working as an agenda-setter for migration management, indirectly shaping the pace, content and institutional developments within this area of regional integration. Official documents and several policymakers involved in regional negotiations converge in identifying Argentina as being at the forefront of expanding the initiatives and encouraged the discussion (Margheritis 2015, 69–70).

The next reunion, which was held on November 8, 2002 in Salvador de Bahia, the different delegations brought their inquiries to the project of the Agreement. Argentina was in charge of the consultations, but Brazil through its Ministry of Justice was the one who took the leadership in the negotiation process and got the different delegations to accept the proposal. After three days of hard discussions, the Ministries of Interior subscribed to the Agreement on Residency⁸ (Alfonso 2012, 51–52). Finally, in December 2002, the Presidents of Mercosur's member States, Bolivia and Chile signed the Agreement on Residence, which was taken as an achievement of the last months of the Cardoso administration and the good offices of the recently elected President of Brazil Luis Inácio Lula da Silva. In this regard, the Report of the Pro Tempore Brazilian Presidency of the Mercosur stated:

In contrast to the difficulties in the economic and commercial area, it was possible in this semester to continue intensively with debates and negotiations in the areas of education, culture, justice, security, social development, etc. The work carried out by the Meeting of Ministers of the Interior, which gave rise to the agreements now extended to the CMC for the Regularization of Citizens of the State Parties of the Mercosur, Bolivia and Chile, paved the way for the free movement of persons among its signatories⁹.

It has been mentioned in the interviews and the literature that the parties who were against the Agreement thought that the Member States will eventually oppose the Agreement, or that it will never enter into force¹⁰ (Alfonso 2012, 51). However, those

⁷ Interview 03, 18/10/2016; Interview 04, 20/10/2016; Interview 6 21/10/2016; Interview 14 09/11/2016.

⁸ MERCOSUR/RMI/ACTA No 02/02-ANEXO IV.

⁹ MERCOSUR/XXIII CMC/DI No 05/02.

¹⁰ Interview 04, 20/10/2016.

views were inaccurate readings of the reality at that time, especially considering that Lula was already elected President of Brazil and taking charge in a few months. Néstor Kirchner was also going to occupy the presidency of Argentina, signaling the more open stance that would have the migration issues after the turn to the left in some governments of the region (Arcarazo y Freier 2015).

The negotiation of the Agreement on Residence as a diffusion process

Some authors considered that the Mercosur's Agreement on Residence obeyed to the domestic priorities in the participating countries. In that sense the intergovernmentalist perspective could offer a proper explanation for the time and form that the regime was introduced. However, this explanation does not take into account how the previous Argentinian experiences with migration issues influenced agents' preferences. Why at the end they did not accept the Brazilian offer for the migration amnesty, and preferred readily available information of how things could have worked if the amnesty was the preferred regional policy. Moreover, the stress in domestic priorities cannot explain why the Agreement was lately adopted by countries that were not part of the negotiation process or Mercosur itself, such as Ecuador, Colombia and Peru.

That is why this article considers that an explanation of a bottom up diffusion process could better explain the negotiation process. As I stated, the large experience of the DNM functionaries with migratory amnesties in the Argentinian territory allowed them to understand that these administrative procedures, followed by periods of closing borders, only increased the number of people in irregular situation. A more long-term migration policy was needed. Furthermore, the participatory discussions of the future migration law influenced the discourse on migratory issues in Argentina, which in the last instance had an impact in the DNM proposal, and later in the region.

However, if the Residence Agreement was a process of policy diffusion it is still necessary to sort out which type of mechanisms were in place. Taking into consideration the different mechanisms presented in Table 1, this article proposes to analyze the process of negotiation of the resident agreement from a logic of consequences. This epistemological stance has been taken bearing in mind the need of simplifying reality and actors preferences from a rationalist perspective. Therefore, this study could concentrate in the interests of Argentina and Brazil, since the two larger

countries were the ones who came up with the different proposals within which the other member states could choose. A perspective, from a logic of consequences will necessarily have into consideration all the intersubjective meanings to understand how the Agreement was socially constructed.

At last, this analysis considers that the learning mechanism is the one that best explains the adoption of the Agreement. If learning occurs when actors update their beliefs about what could work in their country, based on the experiments and experiences of other countries, then it could be said that the Argentinian experience of what went wrong with their migration amnesties drove away member's states from Brazil's proposal.

It could be said that the policies of the Agreement had not yet been implemented in Argentina before, and therefore member states could not conduct a thorough cost-benefit analysis. Nevertheless, member states used cognitive shortcuts that drove attention to the policy failures of Argentina, giving a chance to the yet unknown policy.

Conclusions

This article offered an alternative explanation for the diffusion theory that focusses on the diffusion process of governance emergence from a top-down perspective. This alternative explanation was tested studying how the model of migration governance in the Mercosur Resident Agreement was formed. In that sense, I evaluated the actors that were involved in the Agreement, their main interests, and the institutional conditions underlying its negotiation. Based on interviews with key actors, documents and academic literature on the subject I conclude that the Agreement was mainly the result of the Brazilian and Argentinian negotiations. Brazil needed to boost regional cooperation after Mercosur crisis and considered that a joint migration amnesty could have a positive impact in the regional block's image. However, the Argentinian experience in migration issues was the one that allowed for a more coherent policy in the matter, which in the end was accepted by member states as the best policy option for the region.

Therefore, I argue that the mode of interaction between the actors was a bottom up process of diffusion of the Argentinian policy through the region. As I mentioned, the large experience of the DNM functionaries with migratory amnesties in the Argentinian

territory allowed them to understand that these administrative procedures, followed by periods of closing borders, only increased the number of people in irregular situation. A more long-term migration policy was needed not only for Argentina but for the region as a whole. Furthermore, the participatory discussions of the future migration law influenced the discourse on migratory issues in Argentina, which in the last instance had an impact in the DNM proposal, and later in the region.

Bibliography

- AALEP. 2015. “Key Definitions: Polity, Policy, Politics, Corporate Communications, Public Affairs, Lobbying, Government Relations”. Association of Accredited Public Policy Advocates to the European Union (AALEP). <http://www.aalep.eu/key-definitions-polity-policy-politics-corporate-communications-public-affairs-lobbying-government>.
- Acharya, Amitav. 2004. “How Ideas Spread: Whose Norms Matter? Norm Localization and Institutional Change in Asian Regionalism”. *International Organization* 58 (2): 239–275. doi:10.1017/S0020818304582024.
- . 2011. *Whose Ideas Matter?: Agency and Power in Asian Regionalism*. Cornell University Press.
- . 2016. “Regionalism Beyond EU-Centrism”. En *The Oxford Handbook of Comparative Regionalism*, editado por Tanja A. Börzel y Thomas Risse, 109–30. Oxford: Oxford University Press.
- Alfonso, Adriana. 2012. *Integración y migraciones. El tratamiento de la variable migratoria en el MERCOSUR y su incidencia en la política argentina*. OIM. Cuadernos Migratorios 3. Buenos Aires.
- Arcarazo, Diego Acosta, y Luisa Feline Freier. 2015. “Discursos y Políticas de Inmigración en Sudamérica: ¿Hacia un Nuevo Paradigma o la Confirmación de una Retórica sin Contenido?” *REHMU. Revista Interdisciplinar de Movilidad Humana* XXIII (44). [http://research-information.bristol.ac.uk/en/publications/discursos-y-politicas-de-inmigracion-en-sudamerica-hacia-un-nuevo-paradigma-o-la-confirmacion-de-una-retorica-sin-contenido\(0eee96fd-4db7-431b-a913-7189189391b9\).html](http://research-information.bristol.ac.uk/en/publications/discursos-y-politicas-de-inmigracion-en-sudamerica-hacia-un-nuevo-paradigma-o-la-confirmacion-de-una-retorica-sin-contenido(0eee96fd-4db7-431b-a913-7189189391b9).html).
- Betts, Alexander. 2008. “GEG Working paper 2008/43: Global Migration Governance”. Global Economic Governance Programme-GEG.
- . 2010. “Migration Governance: Alternative Futures. Background Papers WMR 2010”. OIM.
- Bevir, Mark. 2011. “Governance as a theory, practice, and dilemma”. En *The SAGE Handbook of Governance*, editado por Mark Bevir. 1 Oliver’s Yard, 55 City Road, London EC1Y 1SP United Kingdom: SAGE Publications Ltd. http://sk.sagepub.com/reference/hdbk_governance.

- Börzel, Tanja A. 2016. "Theorizing Regionalism: Cooperation, Integration and Governance". En *The Oxford Handbook of Comparative Regionalism*, editado por Professor of Political Science and Chair in European Integration Tanja A. Börzel y Thomas Risse. Oxford University Press.
- Börzel, Tanja A., Mathis Lohaus, y Vera van Hüllen. 2013. "Governance Transfer by Regional Organizations: Following a Global Script?" *SFB-Governance Working Paper Series*.
- Börzel, Tanja A., y Thomas Risse. 2016a. "Introduction: Framework of the Handbook and Conceptual Clarifications." En *The Oxford Handbook of Comparative Regionalism*, editado por Thomas Risse y Tanja A. Börzel. Oxford University Press.
- . 2016b. "The EU and the Diffusion of Regionalism". En *Interregionalism and the European Union: A Post-Revisionist Approach to Europe's Place in a Changing World*, editado por Mario Teló, Louise Fawcett, y Frederik Ponjaert, 51–66. Routledge.
- Breslin, Shaun, Richard Higgott, y Ben Rosamond. 2002. "'Regions in Comparative Perspective' CSGR Working Paper No. 107/02". University of Warwick.
- Caetano, Gerardo. 2011. "Breve historia del Mercosur en sus 20 años. Coyunturas e instituciones (1991-2001)". En *Mercosur 20 años*, editado por Gerardo Caetano, CEFIR, 21–74. <http://www10.iadb.org/intal/intalcdi/PE/2011/08347.pdf>.
- Checkel, Jeffrey T. 1999. "Norms, Institutions, and National Identity in Contemporary Europe". *International Studies Quarterly* 43 (1): 84–114. doi:10.1111/0020-8833.00112.
- Cortell, Andrew P., y James W. Davis. 2000. "Understanding the Domestic Impact of International Norms: A Research Agenda". *International Studies Review* 2 (1): 65–87.
- Dobbin, Frank, Beth Simmons, y Geoffrey Garrett. 2007. "The Global Diffusion of Public Policies: Social Construction, Coercion, Competition, or Learning?" *Annual Review of Sociology* 33. <http://scholar.harvard.edu/dobbin/publications/global-diffusion-public-policies-social-construction-coercion-competition-or-lea>.
- Finnemore, Martha. 1996. *National Interests in International Society*. Cornell Studies in Political Economy. Ithaca, NY: Cornell University Press.
- Gilardi, Fabricio. 2011. "Transnational diffusion: Norms, ideas and policies". En *Handbook of International Relations*, 453–77. Thousand Oaks: SAGE Publications. http://www.fabriziogilardi.org/resources/papers/gilardi_handbook_IR_v2.pdf.
- Gómez Mera, Laura. 2013. *Power and Regionalism in Latin America: The Politics of MERCOSUR*. Notre Dame: University of Notre Dame Press.

- Gómez-Mera, Laura. 2016. "Regime Complexity and Global Governance: The Case of Trafficking in Persons". *European Journal of International Relations* 22 (3): 566–95. doi:10.1177/1354066115600226.
- Haas, Ernst. 1958. *The Uniting of Europe. Political, social and economic forces, 1950-1957*. Stanford, California: Stanford University Press.
- Hafner-Burton, Emilie M. 2005. "Trading Human Rights: How Preferential Trade Agreements Influence Government Repression". *International Organization* 59 (3): 593–629. doi:10.1017/S0020818305050216.
- Hall, Ian, y Mark Bevir. 2011. "Global Governance". En *The SAGE Handbook of Governance*, editado por Mark Bevir. 1 Oliver's Yard, 55 City Road, London EC1Y 1SP United Kingdom: SAGE Publications Ltd. http://sk.sagepub.com/reference/hdbk_governance.
- Jørgens, Helge. 2004. "Governance by Diffusion: Implementing Global Norms through Cross-National Imitation and Learning". En *Governance for Sustainable Development: The Challenge of Adapting Form to Function*, editado por William M. Lafferty. Cheltenham, UK ; Northampton, MA, USA: Edward Elgar Pub.
- Krasner, Stephen D. 1982. "Structural causes and regime consequences: regimes as intervening variables". *International Organization* 36 (2).
- Lavenex, Sandra, Flavia Jurje, Terri E. Givens, y Ross Buchanan. 2016. "Regional Migration Governance". En *The Oxford Handbook of Comparative Regionalism*, editado por Tanja A. Börzel y Thomas Risse. Oxford: Oxford University Press.
- Margheritis, Ana. 2012. "Piecemeal regional integration in the post-neoliberal era: negotiating migration policies within Mercosur". *Review of International Political Economy* 20 (3): 541–75.
- . 2015. "Mercosur's Post-Neoliberal Approach to Migration: From Workers' Mobility to Regional Citizenship". En *A Liberal Tide? Immigration and Asylum Law and Policy in Latin America*, editado por David Cantor, Luisa Feline Freier, y Jean-Pierre Gauci, 57–80. London: School of Advanced Study, University of London. <http://sas-space.sas.ac.uk/6154/#undefined>.
- Mármora, Lelio, y María Cassarino. 1997. "Las migraciones y su tratamiento institucional en el MERCOSUR". *Relaciones Internacionales*, núm. 12. <http://hdl.handle.net/10915/10089>.
- Mercosur. 2015. "Foro Especializado Migratorio del Mercosur. Reunión de Ministros del Interior: Memoria_institucional". http://www.migraciones.gov.ar/foro_migratorio/pdf/memoria_institucional_n.pdf.
- Modolo, Vanina. 2012. "Política Migratoria Regional. El Caso de la Residencia del MERCOSUR 82002-2011)". *Revista Aportes para la Integración Latinoamericana* Año XVIII (26): 40–58.

- Nicolao, Julieta. 2015. "Las migraciones en la agenda del Mercosur. El rol de Argentina en el Foro Especializado Migratorio". *Revista Electrónica de Estudios Internacionales. Centro de Estudios Interdisciplinarios en Problemáticas Internacionales y Locales (CEIPIL - UNICEN - CIC)*, núm. 29(junio). doi:10.17103/reei.29.12.
- Novick, Susana. 2010. "Políticas migratorias en Argentina: experiencias del pasado, reformas actuales y expectativas futuras". En *Estado actual y perspectivas de las políticas migratorias en el Mercosur*, editado por Cristina Zurbriggen y Lenin Mondol. Montevideo: Flacso-Uruguay.
- . 2017. "La política migratoria argentina, a contrapelo de la tendencia mundial | Voces en el Fenix". *Voces en el Fénix*. Consultado febrero 14. <http://vocesenelfenix.com/content/la-pol%C3%ADtica-migratoria-argentina-contrapelo-de-la-tendencia-mundial>.
- OIM. 2014. "Estudio sobre experiencias en la implementación del Acuerdo de Residencia del Mercosur y Asociados". En *XIV Conferencia Suramericana sobre Migraciones*. Lima: OIM.
- Oyarzún Serrano, Lorena. 2008. "Sobre la naturaleza de la integración regional: Teoría y debates". *Revista de Ciencia Política* 28 (3): 95–113.
- Quiliconi, Cintia. 2013. "Modelos competitivos de integración en el hemisferio occidental: ¿liderazgo competitivo o negación mutua?" *CIDOB d'Afers Internacionals*, núm. 102: 147–68.
- . 2014. "Competitive Diffusion of Trade Agreements in Latin America". *International Studies Review* 16 (2): 240–51. doi:10.1111/misr.12135.
- Risse, Thomas. 2016. "The Diffusion of Regionalism". En *The Oxford Handbook of Comparative Regionalism*, editado por Professor of Political Science and Chair in European Integration Tanja A. Borzel y Thomas Risse, 87–108. Oxford University Press.
- Sanahuja, José Antonio. 2007. "Regionalismo e integración en América Latina: balance y perspectivas". *Pensamiento iberoamericano*, núm. 0: 75–106.
- Sassone, Susana María. 1997. "Inmigración Limítrofe Ilegal en la Argentina: ¿Exclusión o Integración?" En . Buenos Aires. <http://observatoriogeograficoamericalatina.org.mx/egal6/Geografiasocioeconomicas/Geografiadelapoblacion/106.pdf>.
- Sibeon, Roger. 1999. "Agency, Structure, and Social Change as Cross-Disciplinary Concepts". *Politics* 19 (3): 139–44. doi:10.1111/1467-9256.00097.
- Söderbaum, Fredrik. 2005. "The International Political Economy of Regionalism". En *Globalizing International Political Economy*, editado por Nicola Phillips. Palgrave Macmillan. <http://https://he.palgrave.com/page/detail/globalizing-international-political-economy-nicola-phillips/?sf1=barcode&st1=9780333965047>.

- . 2009. “Comparative Regional Integration and Regionalism”. En *The SAGE Handbook of Comparative Politics*, editado por Todd Landman y Neil Robinson, 477–96. 1 Oliver’s Yard, 55 City Road, London EC1Y 1SP United Kingdom: SAGE Publications Ltd.
http://sk.sagepub.com/reference/hdbk_compoltics/n27.xml.
- . 2011. “Theories of Regionalism”. En *Routledge Handbook of Asian Regionalism*, editado por Mark Beeson y Richard Stubbs, 1 edition. Milton Park, Abingdon, Oxon ; New York, NY: Routledge.
- . 2013. “What’s Wrong with Regional Integration? The Problem of Eurocentrism”. *Robert Schuman Centre for Advance Studies*, núm. 64. doi:10.2139/ssrn.2399858.
- Strang, David. 1991. “Adding Social Structure to Diffusion Models An Event History Framework”. *Sociological Methods & Research* 19 (3): 324–53.
doi:10.1177/0049124191019003003.
- Treib, Oliver, Holger Bähr, y Gerda Falkner. 2005. “Modes of Governance: A Note Towards Conceptual Clarification”. *European Governance Papers (EUROGOV)*, núm. N05-2: 1–22.
- Vazquez, Mariana. 2011. “El Mercosur social. Cambio político y nueva identidad para el proceso de integración regional en América del Sur”. En *Mercosur 20 años*, editado por Gerardo Caetano, CEFIR, 165–84.
<http://www10.iadb.org/intal/intalcdi/PE/2011/08347.pdf>.
- Zimmermann, Lisbeth. 2014. “Same Same or Different? Norm Diffusion between Resistance, Compliance, and Localization in Post-Conflict States”. *International Studies Perspectives*, junio, n/a-n/a. doi:10.1111/insp.12080.