Process effects of multistakeholder institutions: Theory and evidence from the Open Government Partnership

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Abstract

How does membership in transnational multistakeholder institutions shape states' domestic governance? We complement traditional compliance-based approaches by developing a process model, focusing on the independent effects of processes associated with institutional membership, but separate from commitments and compliance themselves. These effects can be driven by iterative and participatory institutional features, which are increasingly prevalent in global governance. We apply this model to the Open Government Partnership (OGP), a transnational multistakeholder initiative with nearly 80 member countries, featuring highly flexible commitments and weak enforcement. Although commitments and compliance have generally been limited, a compliance-focused approach alone cannot account for myriad other consequences globally and domestically, driven by the iterative and participatory features associated with membership. We demonstrate these at work in a case study of Mexico's OGP membership, which contributed to the spread of new norms and policy models, new political resources and opportunities for reformers, and new linkages and coalitions.

Keywords: global governance, multistakeholder institution, open government, compliance, Mexico.

1. Introduction

How does membership in transnational institutions shape states' domestic governance? Traditional approaches to this question focus on compliance: The extent to which governments fulfill their commitments, and that those commitments matter for intended outcomes. We seek to complement this approach with a *process model*, whereby the processes associated with membership may have their own independent effects, separate from (and even in the absence of) compliance with, or meaningful effects of, commitments themselves. These process-driven effects can alter the ideas, resources, opportunities, and connections of key actors. Not all membership-based institutions will set in motion such process-driven effects, but we suggest that they are more likely where procedures are more iterative and more participatory – involving a larger scope of both actions and actors.

This approach is particularly important given the increasing prevalence and salience of flexible, iterative, and participatory elements in global governance, such as in transnational multistakeholder initiatives and other institutions embodying characteristics of soft law, "new multilateralism," and experimentalist governance. Such institutions generally seek to fill gaps in global governance by emphasizing both greater flexibility of rules and enforcement, and greater non-state actor participation, than traditional international institutions (Bäckstrand 2006; Abbott & Snidal 2013; Andonova 2014; Brockmeyer & Fox 2015; Reinsberg &

Westerwinter 2019). Yet such iterative and participatory processes can have surprising effects of their own, that is, empowering some participants over others, creating new political opportunities, spurring demand for new policy ideas, and linking actors together in new ways.

In this paper, we develop this process model and demonstrate its plausibility, using qualitative evidence from one specific transnational multistakeholder initiative (henceforth, MSI): the Open Government Partnership (OGP). We offer evidence, both globally and from an in-depth case study of Mexico, that OGP membership has generally resulted in limited direct policy outputs and outcomes as understood by a compliance-focused approach, yet at the same time has also been associated with broader developments highly consistent with a process model.

The OGP was launched in 2011 by eight founding governments – Brazil, Indonesia, Mexico, Norway, the Philippines, South Africa, the United Kingdom, and the United States – and within several years had grown to over 75 member countries. The OGP encouraged government reforms in areas of transparency, accountability, participation, and technology in governance, and its multistakeholder institutional architecture was notable for its flexibility, participation, and iteration. The OGP eschewed "one-size-fits-all" standards, instead encouraging governments to make flexible, voluntary commitments that fit local context – but raising concerns over window dressing. It embraced multistakeholder participation, giving civil society organizations full parity of representation on its steering committee, and promoting innovative models of "co-creation" between governments and their citizens. Members – subject to eligibility criteria – endorsed a declaration of shared principles and made National Action Plans comprising specific policy commitments, designed in consultation with civil society organizations, on a repeating cycle demanding new commitments every two years.

This structure offered many reasons for skepticism. The flexible nature of commitments, decentralized monitoring, and absence of any sanctions for non-implementation all suggested that membership was ripe for opportunism and window-dressing. And indeed, commitments under the OGP have often been narrow, superficial, would have been undertaken anyway, or were poorly implemented. However, we suggest that an approach focusing on commitments and compliance alone would miss a set of broader developments driven by the iterative and participatory institutional features of the OGP. We find evidence of three process-driven pathways of change: (i) spreading norms and policy models; (ii) empowering actors inside and outside of government; and (iii) creating linkages and coalitions.

This article first reviews relevant literatures and clarifies the distinctions between compliance-based and process-based models of institutional effects. We then introduce the structure and key details of the OGP as our primary case of focus and review global-level evidence. Finally, we offer an in-depth case study of Mexico's membership in the OGP, offering evidence of reform processes that is consistent with process-based mechanisms but inconsistent with compliance-based mechanisms.

The Mexican case exemplifies the paradoxical character of transnational governance reform in an era of democratic setbacks. After initially being seen as a global champion of open government reform, formal OGP collaboration subsequently halted in Mexico after mounting corruption scandals and illegal surveillance of civil society groups. On the surface, this appeared to be a case of failure. Yet broader changes had taken place, which continued to shape governance reform dynamics, including new models of reform, new sources of influence for civil society, and new domestic and transnational linkages. These developments not only contributed to major legislative advances outside of the OGP process, but also helped establish cross-partisan appeal of open government, laying the groundwork for the OGP process to be re-started in 2019 following a new president taking office. While these developments do not necessarily reflect a measurable quantitative change in policy outcomes, they do reflect shifts in the ideas, interactions, and opportunities of key actors involved in domestic governance reform.

Although our evidence here focuses on just one institution, it is a particularly important case for several reasons. The OGP is representative of global governance trends often referred to as "the new multilateralism" (Patrick 2015) – emphasizing both flexibility and the participation of non-state actors (Tallberg *et al.* 2013), and often with no link to the UN system or international law. However, the OGP also exhibits unusual degrees of iterative and participatory institutional features, alongside demonstrably limited compliance, thereby offering a useful test case to assess the utility of a process model.

2. Compliance and process as transnational sources of domestic reform

Scholars have long been concerned with why states do (or do not) join international institutions, and why they comply (or not) with their commitments to them. Realist critiques expect international institutions to accomplish nothing beyond what would have happened otherwise, or what serves powerful state interests (e.g., Mearsheimer 1994). Many rationalist approaches understand governments' participation in international institutions as self-interested and shaped primarily by hard mechanisms of monitoring and credible enforcement (e.g., Keohane & Martin 1995; Simmons & Danner 2010). Studies of compliance with international institutions often conclude that membership has no true impact given processes of self-selection and screening (Downs *et al.* 1996; von Stein 2005). And empirical studies of the impact of international institutions on measurable outcomes often conclude that the impact of membership is zero or even negative, as states instrumentally take advantage of "window dressing" institutions (e.g., Hafner-Burton & Tsutsui 2005).

Yet other theoretical perspectives, however, see greater potential for "soft" institutions, particularly in conjunction with processes of learning, normative change, or mobilization of non-governmental actors (e.g., Finnemore 1993; Abbott & Snidal 2000; Newman & Posner 2016). Constructivist approaches focus on normative changes through socialization (e.g., Checkel 2001, Goodman and Jinks 2013) or learning (Ruggie 2002). Some liberal approaches focus on pressure from below by civil society (Simmons 2009) and domestic constituencies (Dai 2005), as well as transgovernmental interactions among bureaucrats themselves (Slaughter 2009). Managerial approaches (Chayes and Chayes 1993) suggest that most countries follow most of the rules, most of the time, and view compliance shortfalls as arising from lack of capacity, coordination, or knowledge. Importantly, however, while these theoretical approaches see a broader array of relevant social mechanisms, they often still focus on these mechanisms as alternative explanations of compliance with either formal or informal commitments or standards. Our focus in this paper is not on the debate between rationalist and constructivist social mechanisms as routes to compliance; but rather on alternatives to compliance altogether as pathways to institutional effects.

Scholars apply a similar range of approaches to studying transnational MSIs, including those with either firms or states as key members. States or firms that join MSIs, such as the Extractive Industries Transparency Initiative (EITI) (Aaronson 2011), the United Nations Global Compact (Berliner & Prakash 2015), or the Kimberley Process (Haufler 2009), make commitments to either general principles or specific policy changes (Eberlein *et al.* 2014; Rasche *et al.* 2020). Across differences in rationalist or constructivist theoretical orientation, most scholars share an understanding that for such initiatives to have an impact on member behavior, members must commit to policies that go beyond what they would have done anyway, must actually follow through in implementing their commitments, and finally those commitments must actually matter for measurable outcomes (e.g., Fransen & Kolk 2007; Locke *et al.* 2009; Berliner & Prakash 2015; Distelhorst *et al.* 2015).

For example, in the case of the UN Global Compact, scholars debate whether firm membership can drive progress toward its 10 principles through mechanisms of peer learning (Ruggie 2002), or whether the absence of meaningful monitoring and enforcement will lead to minimal compliance (Sethi & Schepers 2014). Berliner and Prakash (2015) find that while UN Global Compact members undertake more superficial corporate social responsibility efforts, they actually fare *worse* than non-members in terms of more costly, meaningful actions. Importantly, however, our paper also goes beyond previous firm-centric studies of MSIs to focus on a setting where governments are key members. In a similar context, studies of the EITI debate the extent of state compliance and the effects that this has on meaningful outcomes (e.g., Öge 2016; Sovacool *et al.* 2016).

Thus a common thread in past research on the domestic effects of transnational institutions – including both formal and informal international institutions and transnational MSIs – has been a shared view that compliance with formal or informal commitments or standards constitutes the primary lens through which to assess effects of institutional membership. This view is often shared across both rationalist and constructivist theoretical orientations. We build on this past research, but suggest an alternative lens focused instead on how the processes associated with membership can also drive change in more indirect ways.

We argue that the relevant potential impacts of institutional membership on domestic reform go beyond states' compliance with their commitments (whatever the theoretical mechanisms driving that compliance). Instead, we emphasize broader mechanisms driven by the *processes* of membership obligations, rather than their

content or their enforcement. Such processes can include participatory and multistakeholder settings that involve civil society and other non-state actors in making decisions, designing actions, managing implementation, and assessing performance; often themselves embedded in iterative cycles. We argue that process-driven mechanisms are not simply by-products of compliance, or merely routes to compliance, but rather can have independent effects of their own and can operate even in the absence of compliance. However, these mechanisms are often challenging to empirically verify, as they may be difficult to measure, causally complex, emergent over longer time frames, or highly visible only in certain cases. Yet process-driven mechanisms can produce changes in the ideas, interactions, and opportunities of key actors at both domestic and global levels. Given the severe limits of global governance in shaping domestic public sector reform, these changes may be just as consequential – if not more – than those produced by compliance alone.

We highlight three such process-driven mechanisms in particular: Changing norms and policy models; creating resources and opportunities for reformers (both inside and outside of government); and forging new linkages and coalitions (both within and across countries). Importantly, while similar mechanisms have been highlighted in a wide array of past research including on global business regulation (e.g., Braithwaite and Drahos 2000), experimentalist governance (e.g., De Búrca *et al.* 2014), soft law institutions (e.g., Abbott & Snidal 2000), and transgovernmental networks (e.g. Newman & Posner 2016), our contribution is in conceptualizing and demonstrating how they can be *driven by* processes of institutional membership and interaction, independently of compliance with formal or informal commitments or standards.

First, membership processes can lead to changing norms and policy models. Although scholars across multiple research traditions have developed similar ideas (e.g., Finnemore 1993, Braithwaite and Drahos 2000, Greenhill 2015, Zimmermann 2017), we focus on novel ways in which these can be driven by iterative and participatory institutional design features, rather than being routes to, or by-products of, compliance itself. The formalized iteration of reform procedures also creates both repeated "demand" for new ideas and models, and new opportunities for policy learning, while formalized participation of non-state actors facilitates the "supply" of both new innovations and the transmission of norms and models from other settings. These norms and models in turn can become embedded domestically beyond, and even without, direct commitment or compliance.

Second, membership processes can create resources and political opportunities for reformers both inside and outside government, creating spillovers that shape reform politics even beyond the formal boundaries of commitment and compliance. Formalized participation creates new decisionmaking venues and access points (Newman & Posner 2016; Farrell & Newman 2018), whether at global or domestic levels, in which reformers can take part or seek to influence. It also creates new sources of power. Individual participants inside of government, often mid-level officials or specialized agencies, can gain new prestige, symbolic power, and ability to shape agendas. Non-state participants can gain not only formal power, but also structural power (from the potential threat of exit) and forms of network power (e.g., Avant & Westerwinter 2016; Hall *et al.* 2020). Finally, iteration means that these venues and dynamics are not just one-off but are repeated, institutionalized, and come to be expected.

Third, membership processes can enable the formation of new linkages and coalitions both within and across countries. Formalized participation brings together actors who had not worked together previously, and where institutions are multistakeholder and transnational this often leads to new connections across sectors, settings, and organizational types. Iteration, in turn, reinforces these connections. Such new linkages can feed into the previous mechanisms, as well as making possible new modes of interaction and transgovernmental (e.g., Slaughter 2009; Newman & Posner 2016) alliances. Creating domestic trans-ideological coalitions can also enhance the durability of reform agendas across political transitions. And as Avant (2016) notes, not only the quantity but also the quality of transnational network ties can also matter for governance.

Although these mechanisms themselves have roots in existing work, our contributions are in distinguishing them from a focus on compliance and linking them with alternative institutional features. Crucially, we suggest that these mechanisms can be driven by the *processes* of institutional membership, and particularly those that are iterative and participatory.

Iterative and participatory institutional design features are more prevalent in some types of institutions than others. Transnational multistakeholder initiatives (Raymond & DeNardis 2015), for example, such as the Kimberley Process and EITI, are more frequently participatory and iterative than more traditional organizations. Yet

these features are present to differing degrees across institutions, as seen in systematic studies of NGO access (Tallberg *et al.* 2013), and multistakeholder participation in examples such as Agenda 21 (Rosenberg & Thomas 2005) and the Sustainable Development Goals (Senit 2020). Recent work on global experimentalist governance (De Búrca *et al.* 2014), the UN's Universal Periodic Review (Milewicz & Goodin 2018; Carraro 2019), and the Paris Climate Agreement "pledge-and-review" system (Hale 2016) also point toward the wider prevalence and increasing importance of iterative features incorporating a framework for organized, repeated action and review. While comparative study is beyond the scope of this paper, we suggest that such multistakeholder participation and formalized iteration are among the most likely institutional design features to enable process-driven mechanism of change. In order to demonstrate the utility of a process-based model, we focus here on one particularly relevant institution in which these features are highly salient.

3. The case of the Open Government Partnership

To illustrate and offer initial evidence for these arguments, this paper focuses on the case of the OGP, a multi-stakeholder initiative with 78 member countries as of 2020. As we demonstrate in this section, the OGP appears as an unlikely case to drive meaningful changes in public sector reform according to a compliance-based view, given its relatively weak institutional design and poor track record of commitments and their implementation. However, it also features high levels of iteration and participation, making it a useful case to study in order to highlight more unexpected, process-driven mechanisms of change. We first introduce the key features of the OGP, and then discuss the relevance of both models of impact. Finally, we offer evidence from a case study of the OGP in Mexico, highlighting a broader set of changes in domestic governance, despite largely disappointing compliance and the collapse of formal multistakeholder collaboration.

3.1. Origins and institutional structure of the OGP

The OGP first took shape through conversations in early 2011 between several interested governments, civil society groups, and donors. Their goals were to create a new kind of initiative that embraced flexibility and participation, and avoided traditional models of international organization focused on binding treaties, one-size-fits-all standards, and international bureaucracies (Weinstein 2013). As of its launch in September 2011, 46 governments had already announced their intention to join, and by 2019 it had 78 member countries.[1] To join, countries must meet four eligibility criteria (requiring minimum levels of civil liberties, access to information legislation, fiscal transparency, and public asset disclosure), endorse a declaration of open government, and commit to delivering action plans co-created with civil society and to being assessed on their progress.[2]

The National Action Plan (NAP) cycle is the core process requirement of OGP membership. Governments produce a new NAP, in consultation with domestic civil society partners, every two years. These plans have included between 4 and 75 commitments, which vary widely in scope, ambition, and issue focus.[3] This variation highlights the OGP's emphasis on flexibility. Its founders explicitly wanted to avoid a "one-size-fits-all" standard, or the impression of top-down pressure by the global north (Weinstein 2013), instead emphasizing the ability of governments to pursue their own varying domestic goals. However, this flexibility led to frequent concerns that governments would take advantage by opportunistically pursuing primarily technical, rather than political, reforms – or even "window dressing" altogether – while nonetheless burnishing their reputations on the world stage.[4]

But the OGP's legitimacy depended on the buy-in from civil society groups and advocacy coalitions, necessitating that this flexibility be balanced with two institutional features: *iteration* and *participation*.

The NAP cycle was iterative, to be repeated every two years. Member governments could not simply repeat the same commitments, rather they had to continuously generate novel reform projects. Further, the NAPs were subject to external monitoring by the OGP's Independent Reporting Mechanism (IRM), which contracted local researchers to assess each plan, producing a report on the quality of consultative process, the ambition, specificity, and relevance of individual commitments, and their actual implementation.[5]

The OGP's governance structure was unprecedented in its degree of participation for civil society. Its leadership positions rotate, with two co-chairs – one a government and one an individual civil society member. The

Steering Committee itself is made up of an equal number of governments and civil society members.[6] This is a notably greater formal role for civil society than in existing *tripartite* institutions such as the International Labour Organization and the EITI. Holding fully half of the seats on the OGP's Steering Committee means that a united civil society caucus needs only one supportive government member in order to obtain a majority. Importantly, civil society coalitions have used this newfound role to successfully push for several changes in the institutional design of the OGP, including a "response policy" enabling the OGP to respond to member governments restricting associational rights.[7] This focus on participation obtains at national levels as well and in many cases has deepened over time (Brockmeyer and Fox, p. 39). The OGP also began promoting increasingly precise and prescriptive standards[8] for consultative processes and institutionalized multistakeholder bodies to be adhered to in the domestic development and implementation of NAPs.

There are few direct sanctions, however, related to the content of NAPs. Only if member governments fail to produce NAPs altogether for several years is a process of review by the Steering Committee initiated that might, ultimately, render them inactive. Only in 2017 did the OGP begin a series of reforms increasing the stringency of standards that might bring a member under Steering Committee review – yet these focused primarily on the consultative process of NAP design rather than on commitments themselves. Thus, as long as a member government conducts a semblance of a consultative process to produce a NAP every two years, it can remain in good standing even if the commitments themselves are superficial, irrelevant, or never implemented.

3.2. Evaluating OGP action plans and commitments

We briefly review global-level evidence of different models of impact as relevant to states' membership in the OGP. A compliance model suggests a focus on NAPs, the commitments that governments make, and the extent to which they complied with those commitments.

In Table 1, we examine data produced by the IRM review process itself on policy *input* and *output* dimensions. These encompass 781 individual commitments from plans adopted in 2012, 2013, and 2014 (for which the IRM had assessed the "end-of-term" completion as of 2018) across 45 different member countries. For simplicity, we categorize here as "High Ambition" those commitments that the IRM researcher coded as *either* "moderate" or "potentially transformative," and we categorize as "High Completion" those that were assessed as *either* "complete" or "substantially complete."

Just over half (0.542) of all commitments were coded as "moderate" or "transformative" potential impact. Just over two-thirds (0.676) of all commitments were coded as substantially or fully complete. And yet, many ambitious commitments were not completed, and many completed commitments were relatively superficial, such that only just over one-third (0.365) of all commitments were *both* ambitious and implemented. Given that governments choose their own commitments, thus enabling them to "select in" to commitments that are least costly, or already planned or in progress, this is a low figure indeed. The OGP has identified common barriers to implementation including lack of resources, capacity, coordination, and political support (Falla 2017).

Some commitments even appear irrelevant or superficial, such as Malta's commitment to "cleaner beaches" and Costa Rica's to "conduct a feasibility study on the modernization of the postal service." Many also involve only narrow applications of information technology, such as launching government social media accounts, mobile technology devices in schools, or digitizing public service delivery without clear connection to transparency,

Table 1 Summary of Open Government Partnership commitments, design, and implementation assessed by the Independent Reporting Mechanism

	Low completion	High completion	Totals
Low ambition	$N = 115$	$N = 243$	$N = 358$
	Proportion $= 0.147$	Proportion $= 0.311$	Proportion $= 0.458$
High ambition	$N = 138$	$N = 285$	$N = 423$
	Proportion $= 0.177$	Proportion $= 0.365$	Proportion $= 0.542$
Totals	$N = 253$	$N = 528$	$N = 781$
	Proportion $= 0.324$	Proportion $= 0.676$	Proportion $= 1$

accountability, or public participation. The IRM's data showed that "e-government" was the single most common theme of commitments, leading to critiques of the OGP for "open-washing."[9]

How to evaluate the impacts of national membership in the OGP? According to a compliance-based view, this limited extent of ambition and implementation of OGP commitments suggests a clear expectation for little in the way of meaningful changes in public sector reform. Yet we suggest a broader perspective beyond commitments and compliance alone. Process-driven mechanisms of change can shape public sector reform even in the absence of meaningful commitments or outcomes of formal compliance. Instead of commitment and compliance directly, these mechanisms are driven by the processes associated with membership, commitment-making, and compliance-assessing; particularly iterative and participatory institutional features.

The OGP's iterative and participatory NAP cycle exemplifies recent ideas on "experimentalism" in global governance (De Búrca *et al.* 2014). Through learning, review, and experimentation, this iterative process aims to provide feedback that ultimately strengthens the compliance mechanisms themselves, yielding commitments that are more ambitious, more relevant, and more likely to be implemented.

However, these processes have also had important effects of their own, distinct from the potential implementation of commitments they produce. Although the OGP offers government's substantial room for opportunism in the *content* of NAPs, it still requires their repeated production. Thus even a government intent on pure "window dressing" membership must still hold a consultative process and produce *something* in a NAP – and then repeat the whole process again two years later – even if none of the commitments in that plan are meaningful or implemented. This means member countries effectively must "keep running just to stand still." Each new round of consultation and commitment-making has the potential to create new *political opportunities* for reformers, and to offer civil society groups a "seat at the table," a focal point for advocacy, and tools of potential leverage including even the threat of exit. It can also spur the demand for new *policy models*, given that commitments are at least expected to be new initiatives, thus creating repeated openings for both domestic and transnational norm entrepreneurs. Finally, these iterative and participatory processes also bring many different types of actors together, creating new *linkages* both within countries and transnationally.

Examples of these can be seen in cases around the world. Norms of open government have been increasingly mainstreamed in national and subnational governments, as well as in international institutions like the World Bank and OECD (Ingrams *et al.* 2020). OGP processes have served as a platform to facilitate the emergence and diffusion of new global standards, like the Open Data Charter, the Open Contracting Data Standard, and the Beneficial Ownership Standard.[10] Domestic reformers have gained new political opportunities and sources of leverage, as coalitions in many OGP member countries have successfully used their new role to shape domestic policy agendas, obtain long-demanded policy concessions such as the adoption of new access-to-information laws,[11] or to block adverse developments such as South Africa's Secrecy Bill.[12] Finally, OGP processes also created new linkages, such as bringing together distinct and sometimes mutually suspicious issue coalitions like access-to-information and open data advocates (McIntosh 2012), and attracting cross-ideological domestic coalitions that helped maintain political support for open government reforms even across major partisan transitions in member countries like Argentina, France, and the Philippines. Our focus in the remainder of this paper is to illustrate these mechanisms at work with evidence from a detailed case study of Mexico.

4. Evidence from Mexico

To demonstrate the plausibility of our argument, we evaluate the applicability of both compliance and process models in the case of Mexico's OGP membership. We follow Mexico's history of engagement with the OGP from its founding in 2011 until 2019, through three rounds of NAPs and multiple changes in executive power. We find substantial evidence of process-driven mechanisms at work, even as Mexico's actual OGP commitments were often limited and viewed with skepticism. And despite the collapse of executive-level collaboration after a surveillance scandal, we find evidence of broad institutionalization as open government efforts continued among civil society, in the bureaucracy, in the legislature, and subnationally. These would be surprising given a narrow approach focusing only on compliance, yet can be far better accounted for with a process model incorporating such broader impacts.

4.1. Methodology and case selection

This case study was carried out through extensive review of official OGP documents, third-party reports, Mexican news media, and interviews conducted between 2017 and 2019 either in Mexico City or remotely with representatives of five different civil society groups in Mexico, four current or former government officials, and three representatives of the OGP globally. Interviewees were assured they would only be identified by type of organization (government, CSO, OGP) in order to ensure their ability to speak frankly.

Our goal is to use details of within-case processes to test between two rival interpretations how Mexico's OGP membership shaped domestic governance reform: a compliance model and a process model. These can be expressed as two competing hypotheses:

> H1. : *To the extent that OGP membership had impacts on governance reform in Mexico, this impact was driven by formal commitments and their implementation.*
>
> H2. : *To the extent that OGP membership had impacts on governance reform in Mexico, this impact was driven by iterative and participatory processes.*

Of course, much depends on how one defines "impacts" in this setting, particularly when reform efforts over short- or medium-term timeframes are so rarely *ever* found to have measurable impacts on governance outcomes (Fox 2015). Here we emphasize not only "quantitative" shifts in public sector governance but also "qualitative" developments in the strategies and tactics by which governmental and non-governmental actors seek to shape it. These may include changes in the nature of interactions among different sets of actors, the processes of decisionmaking, or the types of policies being pursued.

Our case selection of Mexico is motivated by its status as a highly likely case for a compliance model to operate, relative to other OGP members. Mexico was among the founding countries of the OGP and so had played a role in designing the system of rules around NAPs and commitments. It was a new democracy, often highlighted as a key factor shaping compliance (Grewal & Voeten 2015). It had a reform reputation to uphold given its widely hailed and broadly used 2002 access to information law (Berliner & Erlich 2015; Berliner *et al.* 2018). And it featured an active civil society in areas of transparency, corruption, and human rights. All these factors suggest a "high water mark" for compliance mechanisms to be operating, relative to other OGP members. Yet instead we still see limited compliance, making Mexico an important case to assess for evidence of alternative mechanisms at work instead. Mexico is also broadly representative of many other middle-income democracies or hybrid regimes that engage substantially with international and transnational institutions, but with frequent concerns over that engagement's lack of impact.

We first summarize the chronology of Mexico's membership in the OGP. We then assess evidence as to the potential impact of OGP commitments and their compliance. Finally, we explore the potential of process-driven mechanisms by analyzing a series of specific developments beyond formal commitments.

4.2. Summary of Mexico's OGP membership

Mexico was one of the OGP's founding members, having been involved in the initial discussions in January 2011 in Washington, DC, that led to its creation (Weinstein 2013). Mexico was seen as a global leader in transparency reforms, particularly for its 2002 access to information law and active information commission. Representatives of the governing Partido Acción Nacional (PAN) party, the independent information commission, and domestic civil society groups were all involved early on in shaping Mexico's OGP membership.

As one of the eight founding countries, Mexican government had committed to present an action plan at the formal launch of the OGP in September 2011. But as with most of the founding members, this process was widely acknowledged as rushed and generally yielding commitments that were superficial or already underway.[13] Civil society groups criticized the rushed timeframe, limited commitments, and incorporation of only one civil society proposal.[14] They even "threatened to leave and denounce the partnership,"[15] highlighting the potential threat of exit that could undermine the legitimacy of such participatory processes. In response to this criticism, Mexico's government revised its first NAP to include "a wider set of commitments, each with a unique co-governance structure between civil society and government."[16]

During this revision process, the federal government, civil society groups, and the independent information commission jointly formed a "Tripartite Technical Secretariat" (STT) to "act as a permanent and institutionalized space for decisionmaking, consultation, monitoring compliance with the commitments" – with each "sector" having one vote.[17] The eight[18] civil society members of this body formed a coalition known as the Núcleo de la Sociedad Civil, or civil society core group. We return to the STT in a later section to emphasize key roles it played in process-driven mechanisms.

On July 1, 2012, Mexican voters elected Enrique Peña Nieto to the Presidency, returning to power the Partido Revolucionario Institucional (PRI) that had governed for decades until 2000. The new administration could well have been hostile toward the OGP, as an initiative of its predecessor, and chosen to abandon or neglect it. Instead, the new administration found reasons to embrace the OGP, both linking it with its own reformist agenda and as a way of signaling commitment to reform.[19] Mexico was selected as the lead government chair of the OGP steering committee, a role it would hold for one year beginning October 2014 and that would involve hosting the OGP's Global Summit in October 2015.

Yet Mexico's year as OGP chair also saw mounting human rights concerns over the disappearance of 43 students in Ayotzinapa, corruption scandals, and rapidly deteriorating approval ratings of the President. In this context, many participants suggested that the government "lost interest" in the OGP aside from its open data agenda.[20] One official even noted that after the 2015 summit, "the boom of open government diminished a bit."[21] Although the third NAP was praised for its ambition and inclusive design process,[22] ministries began attempting to restrict the scope of their commitments.[23] With the Peña Nieto administration increasingly unpopular and burdened with scandals, some civil society groups became concerned that they were being used to burnish the government's international image and worried about their organizations' reputations.[24]

In this setting, a scandal over illegal digital surveillance led to the ultimate collapse of the national-level collaborative process, proving to be in the words of one participant, "the final drop of water."[25] Beginning in February 2017, investigations published evidence of the Mexican government's use of *Pegasus* spyware software to monitor journalists, politicians, and activists – including from the OGP coalition.[26] The civil society coalition debated how to respond, but eventually concluded the necessity of withdrawing from the STT. One said "if we continue, and let them get away with undermining the process, we will be part of a huge simulation."[27] The withdrawal was front-page news in Mexico.[28] Over the next year, the civil society groups refused to re-engage until a more credible investigation was undertaken of the illegal digital surveillance; and the government's efforts on its remaining commitments stagnated.

Yet this collapse proved not to be final. In July 2018, voters chose a new left-wing president, Andrés Manuel López Obrador. Many civil society coalition members were initially skeptical that the new administration would seek renewed collaboration, given Obrador's often-negative comments about civil society groups as unrepresentative.[29] However, on March 5, 2019, Mexico announced the resumption of collaboration between the civil society core group, the information commission INAI, and the Ministry of Public Administration, both to begin work on a fourth NAP and to address the surveillance issue beginning with agreement "on a roadmap to avoid cases like Pegasus from ever happening."[30]

4.3. Evaluating the compliance model

To what extent did Mexico's first three rounds of NAPs make formal contributions to effective governance reform? In Table 2, we assess these, suggesting that the OGP's formal compliance-based process yielded commitments largely limited in their substance or implementation.

In global perspective, Mexico's NAP performance appears mixed. Its consultative procedures actually became a model for many other countries, and it implemented (substantially or in full) the majority of its commitments, particularly in the second NAP. But many of these commitments were not particularly ambitious, and many were not implemented. In its second NAP, 20 of 26 commitments were assessed by the IRM reviewer as having only "minor" potential impact. In its third NAP, a stronger eight of 11 were scored as having "moderate" potential impact. However, no commitment in either plan was evaluated as having "transformative" potential impact, compared with 17% of all OGP commitments globally.[31] And in the third NAP, under half of all commitments were completed.

Table 2 Summary of Mexico's Open Government Partnership National Action Plans

Plan no.	Years	Consultation score (global avg.: 3/6)	No. of commitments	Prop. high ambition commitments (global avg.: 0.542)	Prop. completed commitments (global avg.: 0.676)
1	2011–2013	Not rated	36	Not rated	0.694 (midterm only)
2	2013–2015	5/6	26	0.231	0.923 (0.731 at midterm)
3	2016–2018	4/6	11	0.727	0.455 (0 at midterm)

For each plan, we give the score assessing the strength of the consultative design process according to the Independent Reporting Mechanism (IRM) researcher (except for the first plan that was assessed before the IRM began collecting this information), the total number of commitments, the proportion of these commitments assessed as having either "moderate" or "transformative" potential impact, and the proportion assessed as either "complete" or "substantially complete."

Many commitments were clearly narrow in scope, such as publishing datasets pertaining to higher education, or "a national catalog of social programs." Others offered relatively vague frameworks for stakeholder consultation toward opening particular types of data, but lacking in definitive deliverables. Others were flouted, such as a commitment to consultations in appointment processes or a strategy to prevent conflicts of interest with industry regarding child obesity.[32] Many others, often representing disclosures or data portals in specific sectors or issue areas, were indeed completed but then never updated again after the close of the review process.

Many participants in the OGP process spoke of disappointment with the broader impact of commitments, or with the IRM review itself. One CSO representative said, "we didn't do well in terms of putting forward commitments that were transformative."[33] Another said that commitments were "not a good way to go. They *are* valuable, but often are not updated afterwards… they have not changed the culture in institutions."[34] And another said "The IRM was useless… always six months or a year too late for learning or accountability… nobody mentions it."[35]

4.4. Evaluating the process model

Mexico might superficially seem to be a disappointing case for the OGP. Despite a consultative process that was widely emulated globally, the resulting commitments had yielded limited results. Further, civil society's withdrawal seemed to demonstrate the ultimate failure of collaboration.

However, this perspective would neglect many broader changes that had taken place, stemming from Mexico's OGP membership and its processes, but not following directly a pathway running from policy inputs to policy outputs to policy outcome. To demonstrate these, we trace four different sets of empirical developments that reveal these process-driven mechanisms at work in Mexico: among civil society, inside government, in new legislation, and subnationally.

4.5. Changes in civil society

The STT – the tripartite body comprising representatives of the federal government, the information commission, and civil society – was responsible for developing commitments and coordinating their implementation. However, it also had broader effects in creating new political resources and opportunities for civil society and shaping patterns of behavior among civil society groups themselves.

First, having a "seat at the table" empowered civil society in multiple ways. Even beyond direct contributions to the selection and design of NAP commitments, they could also forge new links with bureaucrats in relevant ministries who shared their goals or interests and bring pressure to bear on more resistant bureaucrats, given top-level political commitment to the process.[36] Membership also gave civil society groups new forms of structural power, from their implicit threat of exit that could (and ultimately did) delegitimize the government's OGP membership. One civil society participant said:

> "Having and being involved in the process and being recognized by the government as a legitimate partner, it creates liabilities for the government if they decide to behave badly… [Civil society can] leave, and then they're going to suffer from their legitimacy nationally and globally. That's a credible threat for the governments."[37]

Participants themselves saw these forms of influence as one of the OGP's most important features. One noted "having a policy-building space with government at a high level – this was a change from before."[38] Another commented that the OGP was "like steroids for civil society," noting it enabled them to "pressure government from the inside and the outside."[39] A government official agreed, saying that "the first steps that we made with OGP gave a lot of power to civil society, and they gained a lot of legitimacy to put some pressure on the authorities."[40]

Second, in addition to providing new opportunities for civil society, the STT also brought changes among civil society coalitions themselves. Many of the organizations had not traditionally worked in concert on shared goals that crossed the boundaries of individual issue areas or ideological leanings. The eight members of the core group participating in the STT included human rights, anticorruption, environmental, technology, and business organizations. Some of these normally engaged in research and non-partisan activities, while others assumed a more confrontational stance. Some were solely domestic organizations, and others were local chapters of global networks. In the context of often-bitter ideological divides among Mexican civil society, this diversity was striking.[41] No prior transparency coalitions had been this broad.[42] In some cases, these organizations were also previously reticent to work directly with the government, preferring more confrontational modes of engagement.

Several participants thus credited the OGP with introducing a new culture of collaboration, both among civil society groups, and between those groups and the government.[43] One civil society participant said that they "used to be in silos" but "now are working together more, across human rights, transparency, digital."[44] Another said that "civil society organizations in Mexico had been very separated, individualistic" and noted that while transparency-specific organizations had been working together for many years, "the OGP helped create the environment to get together with other organizations" from beyond a narrow transparency agenda.[45]

A government official shared a similar perspective:

"Something that was not very present before, is that civil society got conscious that they have to build partnerships and collaboration within themselves… They have become conscious that if they are partners, they can demand more from the authorities."[46]

4.6. Empowerment of reformers inside government

The OGP also empowered reformers inside government, through increased access to attention, resources, and international venues, as well as collaboration from civil society groups. One participant described this process in general, noting that:

"During the Calderón administration, there were a couple of civil servants kind of enjoying the show, like 'we want to push this agenda.' Inside the government, people didn't want this agenda to be heard and to be discussed. But they became quite competitive with civil society, pushing from inside and outside."[47]

The information commission's coordinating role in the OGP process also raised its profile both nationally and internationally, and it used the imprimatur of this role to publicize and promote open government issues in general, even when working beyond formal action plans and commitments. In the Finance Ministry, the Performance Evaluation Unit (Unidad de Evaluación del Desempeño) also relied on the OGP process and the new avenues of communication with outside groups that it established, contributing to the success and continuity of its online budget portal (Salamanca & Takahashi 2015).

The Digital Strategy National Coordinating office (CEDN) in the Office of the President, created under Peña Nieto to lead the government's open data efforts, made similar use of OGP processes and venues to help ensure space on the policy agenda and the opportunity to gain high-level commitments to support their efforts. One former official described this process:

"For us, we wanted to promote this agenda. We wanted to promote open government nationally… It was a moment to interact with the government in a very strong way with a very open channel to have influence in a lot of the decision-making process."[48]

For example, CEDN officials focused on emphasizing key goals in the draft of Peña Nieto's speech at the 2015 OGP summit, hoping that this public commitment would ensure follow-through. One official said that "they

made the President commit to them there, in an international forum, so that there was no way back, they had to implement them."[49] Importantly, many of these goals were *not* part of the NAP at the time, but rather additional initiatives that reformers inside government hoped to promote. These included a commitment to publish construction contracts according to the new Open Contracting Data Standard and the creation of a new online public participation platform by the interior ministry SEGOB.[50]

4.7. Legislative developments

Legislative processes unrelated to OGP membership also demonstrate all three process-driven mechanisms at work. Norms of legislative openness spread in the form of a "culture of collaboration" between civil society and government; the OGP offered civil society groups new political opportunities and sources of influence; and the new civil society coalitions forged by the STT continued to work together in other arenas. The clearest example of these was an unprecedented form of collaboration in the legislative process that designed the 2015 Ley General de Transparencia, strengthening Mexico's access-to-information regime. Mexico's OGP membership had process-driven impacts at two stages of this process: First, in contributing to a remarkably open and collaborative legislative process, and second, in helping block a last-minute attempt by the Presidency to weaken the resulting draft.

A 2014 constitutional reform strengthened the right to information in Mexico, but required specific implementing legislation to update the existing access to information (ATI) law, first adopted in 2002. While initial plans for drafting the new law incorporated only limited consultation with outside experts, in response to pressure from civil society groups the Mexican Senate created a drafting group incorporating representatives of the three major political parties along with civil society groups from three different coalitions and including several members of the OGP civil society group (Ruelas Serna 2016, p. 10). This process continued from October to December 2014, producing a "ground-breaking" draft that strengthened the independence of the information commission, limited the use of exemptions, and expanded the scope of the ATI law to apply to previously excluded entities and levels of government.[51]

However, in early 2015 the Presidency announced over 80 last-minute changes to the bill, seen as a serious weakening of Mexico's ATI regime.[52] Civil society groups sought to highlight these changes in both domestic and international media and put pressure on the government to reverse the changes. This included efforts to leverage OGP structures and the global OGP community to apply external pressure as well. The Mexican OGP civil society coalition wrote a formal letter to the STT requesting that the changes be withdrawn,[53] and also sought a response from the OGP globally. Although previously reticent to respond to matters beyond NAPs, in this case the two Steering Committee civil society co-chairs wrote a statement on their own behalf, but published on the OGP's website and distributed through OGP channels. This statement praised the collaborative process that had produced the earlier, stronger draft, but highlighted criticisms of the proposed changes, explicitly drawing a contrast with Mexico's OGP role.[54] Although not a statement of the OGP itself, domestic media covered this as an international rebuke.[55] One civil society participant noted that they had used Mexico's OGP membership as "leverage."[56]

Ultimately, most of the reversals were dropped and the final bill excluded all but three of the last-minute amendments, while incorporating most of the gains of the earlier collaborative process.[57] On the Right to Information Rating, produced by international legal experts, Mexico's score rose from 120 to 136 – making it the strongest such law in the world at that time. While this process was a success of advocates and reformers more broadly, it highlights important leverage offered by the OGP both domestically and internationally.

Similar mechanisms can be seen in the legislative development of Mexico's new Sistema Nacional Anticorrupción in 2015 and 2016, praised as "a watershed moment in Mexico."[58] Legislative drafting was done using procedures widely referred to as "parlamento abierto" – open parliament – meaning not just collaboration with civil society and experts[59] but also the publication of all drafts and live broadcast of all debates.[60] Many participants and observers reflected on the unprecedented nature of this process.[61]

Together, these two legislative developments reflect an ongoing qualitative shift in expectations of legitimate decisionmaking toward increased participation and collaboration, even beyond the formal boundaries of the OGP process. One civil society representative called these "examples of how this way to work permeates to the way civil society relates to government."[62] Another said:

"Let me put it like this: It didn't start with OGP, but OGP provided us with the framework that we really needed, even the same words – cocreation, open parliament – all these kinds of things were picked from the OGP discourse… We were the same organizations that were pushing in these different areas for those reforms, at the same time as we were working in OGP. We didn't want to bring those kinds of discussions within the OGP sphere in Mexico; they needed to happen in a parallel dimension but using the same model. It was not an accident, we decided to do that."[63]

4.8. Subnational institutionalization

A subnational open government initiative also demonstrates the institutionalization of new norms and models, even after the collapse of executive-level collaboration in 2017. This initiative functioned as a "mini-OGP" with its own tripartite structure in every participating Mexican state. Yet, crucially, the initiative was unrelated to the global OGP, which had its own distinct subnational pilot program.

The initiative was launched in 2015 by the information commission, and by 2016 had grown to encompass 23 out of Mexico's 32 states (including the Federal District),[64] and 26 by 2018.[65] Notably, these included states governed by all three traditional major parties. This cross-ideological appeal demonstrates an example of the OGP contributing to the building of new coalitions, drawing political allies that might have previously been more skeptical.

The core elements of the initiative were the formation of "Local Technical Secretariats" – with a tripartite structure comprising the governor's administration, local civil society groups, and the state-level information commission – and the creation and implementation of action plans. Although the subnational initiative was independent from the global OGP, its structure, process, and goals were closely and explicitly modeled after it. Early discussions explicitly saw the initiative as "replicating the national work model."[66] And one former government official noted that the although the subnational initiative was separate from the OGP, it was spearheaded by "people who were involved in OGP" and "knew OGP very well," and that the idea had "come from the Mexican experience of the OGP."[67]

Importantly, this subnational initiative continued moving forward despite the collapse of national-level collaboration. If anything, national-level civil society groups ultimately become even more involved, working to support local organizations' involvement. One participant even called it an attempt to "institutionalize open government, so as not to depend so much on the Presidency."[68] Although this subnational collaboration may ultimately face challenges of its own, it nonetheless demonstrates how Mexico's participation in the global OGP process directly led to the emergence of a new policy model shaping the goals and strategies of domestic governance reform efforts.

4.9. Summary and alternative explanations

Mexico's experience as a member of the OGP thus highlights the utility of a process model in shedding light on broader mechanisms of change that might otherwise be obscured. In Mexico, the OGP played a role in spreading new ideas and policy models and engendering a culture of collaboration that took root beyond the formal NAP process. It offered new resources and political opportunities to reformers, both inside and outside of government. And finally, it established new linkages and coalitions, both between different factions of civil society and across ideological divides in ways that made it easier for reform agendas to survive political transitions. Each of these arose not from commitment or compliance, but rather from the iterative and participatory processes associated with OGP membership – repeated multistakeholder collaboration to produce and implement NAPs and engage with transnational partners.

We do not argue that all of these developments – new forms of influence and collaboration among civil society groups, new opportunities for reformers in government, specific legislative developments, and a subnational multistakeholder reform initiative – are solely attributable to the OGP. Each was also shaped by other ongoing domestic and transnational dimensions of the politics and ideas of good governance reform. However, our evidence has highlighted key moments, actions, and outcomes that would not have happened without the new resources, opportunities, models, and linkages created by the OGP. While some of developments reviewed above might have occurred in a world with no OGP, the centrality of OGP structures and models evidenced suggest that many would not; at least not in the same form and with the same results.

Evidence from the case of Mexico is also inconsistent from several possible alternative explanations for these same developments, emphasizing other international or domestic factors. None of these developments were commitments to or requirements of either the OGP or any other international body. No other international or transnational entities offered Mexican civil society groups the same opportunities for participation and influence. Nor can changes in government partisanship account for the timelines of these developments, given their continuity from PAN to PRI governments in 2012 (despite the PRI's authoritarian past), and the renewed OGP process under the new left-wing government after 2018. Importantly, processes of transnational policy learning and norm diffusion played out over this period alongside the OGP as well as within and through it, so one possibility is that OGP processes simply "rode the wave" of developments that would have happened anyway. However, we have demonstrated key process evidence of developments that were inseparable from the OGP as a transmission belt (for norms of collaborative policymaking), institutional model (the subnational initiative), specific policymaking venue (the STT), focusing event (NAP rounds and global summits), or source of external leverage (first NAP and transparency law reforms).

Overall, the evidence from this case study is much more consistent with H_2 than H_1.

That is, we see evidence of broader mechanisms consistent with a process model, but inconsistent with a narrow view expecting only compliance-based pathways for OGP membership to drive domestic change.

5. Conclusion

Scholars have long debated the effects of institutional membership on domestic governance. Much of this debate has focused on the question of compliance: Whether or not, why, and under what circumstances governments follow through on their commitments. Narrow versions of this approach see impacts of membership flowing primarily through a causal chain whereby governments say they will do things, subsequently do those things, and those things in fact matter. However, this chain running from policy inputs to policy outputs to policy outcomes often breaks down. Indeed in the case of the OGP, commitments often proved superficial, limited, or not implemented. This suggests looking beyond debates between rationalist and constructivist theoretical approaches to compliance, to instead consider alternative pathways to change altogether.

We suggest that scholars, especially those studying multistakeholder initiatives and other iterative and participatory institutions, should consider what we call a *process model* of impact. This model emphasizes mechanisms driven by the processes of membership, commitment-making, and compliance-assessing; but not necessarily by the substance or outcomes of those commitments themselves. These broader mechanisms include changing norms and policy models, political resources and opportunities for reformers, and new linkages and coalitions both within and across countries. Importantly, compliance and process models are not mutually exclusive, but can operate either together or in isolation. We suggest that process-driven mechanisms will be more prevalent where institutional design features are more iterative and participatory.

Our focus in this paper is on demonstrating the plausibility of this process model, by examining an institution whose design – with demonstrably limited formal compliance but a highly iterative and participatory process – helps to distinguish between the two models at work. We offer evidence both globally and from Mexico that OGP commitments are often limited, superficial, or not implemented; and that even gold-standard commitments are unlikely to prove transformative on their own. Yet the processes of OGP membership can drive a separate set of mechanisms, producing changes in the ideas, interactions, and opportunities of key actors at both domestic and global levels.

Many of the key process-driven developments that we reviewed in Mexico also appear relevant in other OGP member states. Civil society coalitions wielded the threat of exit from domestic collaboration in Croatia and Guatemala.[69] Subnational open government initiatives – distinct from the OGP's own subnational pilot program – emerged in Nigeria and Indonesia.[70] And newly emerging policy models like the Open Contracting Data Standard and Beneficial Ownership standard – using the OGP process as a "platform" to kick-start their own development and diffusion – are increasingly being adopted by other countries. Although our case study of Mexico is designed to demonstrate the plausibility of a process-focused approach, we thus see it as broadly representative of the experience of many countries around the world. Although future research will be needed to directly investigate the scope conditions for process effects to be more likely, we surmise that these may include

some combination of minimally democratic institutions and relevance of the international community, with intermediate levels of administrative capacity that are sufficient to enable meaningful participation, but not so great as to be entirely resistant to outside input.

Finally, although this paper focuses on just one institution in order to most clearly demonstrate the process model's plausibility and importance, our arguments may generalize to many others featuring iterative and participatory processes, including in other policy areas. These include other multistakeholder initiatives like the EITI, participatory efforts like Agenda 21 and the Sustainable Development Goals, iterative mechanisms like the UN's Universal Periodic Review and the Paris climate agreement's pledge-and-review system, and the increasing incorporation of participatory elements across many international institutions. Future work should undertake a broader comparative research agenda aimed at better understanding the scope conditions for process-driven mechanisms to be effective, amid the increasingly diverse array of institutional design features in global governance.

Acknowledgments

Data availability statement
The data that support the findings of this study are available from the corresponding author upon reasonable request.

Endnotes

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