Open Government? Democracy and Transparency Backsliding in Latin America's Populist Governments

Governo Aberto? Retrocessos na Democracia e na Transparência em Governos Populistas da América Latina

¿Gobierno Abierto? Retrocesos en la Democracia y en la Transparencia en Gobiernos Populistas de América Latina

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Abstract

The Open Government Partnership (OGP), established in 2011, aims to promote transparency, open data, civil society participation, and accountability, but its effectiveness varies among governments. This article analyzes the setbacks in transparency and open government policies in Brazil, Mexico, and Argentina, focusing on how populist governments impact these principles. It examines the gap between government transparency and OGP guidelines, civil society reactions, enforcement mechanisms for non-compliance, the direct and indirect pathway of implementation, and the effects of AI and disinformation on transparency. Under Bolsonaro in Brazil, there were significant restrictions on FOIA, secrecy on documents, and the establishment of a secret budget. Lula's administration still has challenges concerning governmental information and budget amendments. In Mexico, Andrés Manuel López Obrador's constant attacks on transparency and the dismantling of the INAI agency were observed. In Argentina, Javier Milei directly attacked FOIA and access to public information in Argentina with Decree 780/2024. Drawing on case studies and the sociology of organizations' theoretical framework, the study concludes that open government policies are not yet institutionalized due to

weak normative and cultural cognitive pillars, along with risks involving regulatory frameworks. Establishing an Open State with clear standards is a pathway to strengthen democracy.

Keywords: open government, open state, democracy, transparency, populism

Resumo

A Parceria de Governo Aberto (PGA), estabelecida em 2011, busca promover a transparência, dados abertos, participação da sociedade civil e accountability, mas sua eficácia varia entre os governos. São analisados os retrocessos na transparência e governo aberto em governos populistas no Brasil, México e Argentina. Examina-se a lacuna entre a transparência governamental e as diretrizes da OGP, as reações da sociedade civil, os mecanismos de fiscalização para a não conformidade, o caminho direto e indireto de implementação, e os efeitos da IA e da desinformação na transparência.

Durante o governo Bolsonaro, houve restrições significativas à Lei de Acesso à Informação (LAI), e o estabelecimento de um orçamento secreto. A administração de Lula enfrenta desafios em relação à informações governamentais e das emendas orçamentárias. No México, evidenciaram-se os ataques de AMLO à transparência e o desmantelamento do INAI. Na Argentina, com o Decreto 780/2024, Javier Milei atacou diretamente o acesso à informação pública. Com base em estudos de caso e no arcabouço teórico da sociologia das organizações, conclui-se que as políticas de governo aberto ainda não estão institucionalizadas devido a pilares normativos e cognitivos culturais frágeis, além de riscos envolvendo estruturas regulatórias. Estabelecer um Estado Aberto com padrões claros é um caminho para fortalecer a democracia.

Palavras-chave: governo aberto, estado aberto, democracia, transparência, populismo

Resumen

La Alianza para el Gobierno Abierto (AGA), establecida en 2011, busca promover la transparencia, los datos abiertos, la participación de la sociedad civil y la accountability, y su efectividad varía entre gobiernos. Este análisis aborda retrocesos en la transparencia y gobierno abierto en Brasil, México y Argentina bajo gobiernos populistas. Se examina la brecha entre transparencia gubernamental y directrices de OGP, las reacciones de la sociedad civil, los mecanismos de fiscalización, caminos de implementación, así como los efectos de la IA y desinformación. Durante el mandato de Bolsonaro en Brasil, se impusieron restricciones significativas a la Ley de Acceso a la Información (LAI) y se estableció un presupuesto secreto. La gestión de Lula enfrenta desafíos relacionados con la información gobernamental y las enmiendas presupuestarias. En México, se han observados ataques a la transparencia y el desmantelamiento del INAI por parte de AMLO. En Argentina, con nel Decreto 780/2024, Javier Milei atacó el aceso a la información

pública. El estudio concluye que las políticas de gobierno abierto no están institucionalizadas debido a pilares normativos y culturales frágiles, además de riesgos relacionados con los marcos regulatórios. Establecer un Estado Abierto con estándares claros es un camino para fortalecer la democracia.

Palabras clave: gobierno abierto, estado abierto, democracia, transparencia, populismo.

Introduction

Since its foundation, the Open Government Partnership (OGP) has been an essential multilateral organization. It fosters and induces national and local governments to formulate and implement public policies based on transparency, open data, participation of civil society, and accountability with the support of innovation and technology.

Starting in September 2011 with eight founding members: Brazil, Mexico, United States, Great Britain, Philippines, South Africa, Norway, and Indonesia, the partnership rapidly achieved a significant situation with 75 countries and 150 local governments (2024). To become part of OGP, countries, and local governments must sustain open government values, present a request for admission, and co-create an Action Plan with Civil Society and implement it under the scrutiny of an Independent Reporting Mechanism (IRM). Members sign institutional commitments to promote transparency initiatives that allow accountability, social participation that guarantees citizenship, and systematic monitoring of the results of public policies. This aims to ensure public management with the support of technologies that allow adequate information and combat corruption more effectively.

This work draws upon scientific articles, multilateral organizations reports, media coverage, and interviews. Based on that, the first and second parts of this article will discuss the setbacks of transparency and open government policy in Brazil in a more in-depth perspective with a focus on the 100-year-old secrecy decrees in Bolsonaro administration and the secret budget and pix amendments in the Bolsonaro and Lula's three administrations. The third section of this article delves into the endeavors of Open Government in Brazil and the Open Government Partnership. The following parts focus on the Mexican and Argentine cases. Afterward, there is an essential and updated discussion on AI and disinformation, a theoretical analysis based on organizational institutionalism, and some final remarks.

The analysis of "Global multi-stakeholder initiatives aiming to strengthen public governance and transparency (PGMSIs) is growing but still undertheorized, according to Wilson et al. (2023). Their study indicated that countries that join these initiatives are motivated both by the development of technical capacity and by reputational effects, motivations that reinforce each

other, and the role of national actors (heads of state, ministries, and, to a lesser extent, civil society). However, depending on the government in place, the adherence to these initiatives changes significantly. A crucial analysis needs to be conducted regarding governmental changes and the crises and conflicts that emerge together with democracy backsliding.

This paper aims to make a significant contribution by collecting evidence and analyzing the last years in the Brazilian and Mexican cases and, to a lesser extent, the Argentine case under populist regimes, whose governments have a substantial impact on democracy's values. It also allows an understanding of how governments can mine transparency, participation, and accountability.

Two months after the founding of the OGP, on November 18, 2011, Law 12.527, the Access to Information Law (Freedom of Information – FOI), was enacted in Brazil, an essential public transparency law regulating a right provided 23 years after the Federal Constitution of 1988. This transparency law was a precondition for being a member of OGP. This legal framework sought to strengthen government transparency, social control of public administration, and promote open government at the three powers (executive, legislative, and judiciary) and three levels of the federation (municipal, state, and federal). However, in Jair Bolsonaro's administration (2019-2022), governmental changes brought significant backslides to openness and transparency, which can be observed with the restrictions on FOIs and the imposition of 100-year secrecy on official documents as well as with a "secret budget" of public resources administered without transparency and accountability by the parliament, benefiting strongholds of deputies and senators. In the case of Mexico (2018-2024), Andrés Manuel López Obrador's (AMLO) power centralization, communication tactics, and discredit of the National Transparency Institute also acted on the dismantling of open government initiative. Decree 780 in Argentina, issued in September 2024, is a direct attack on freedom of information.

Even though these countries have been OGP members since its beginning, there have been severe democratic backslides. It is important to address (i) the reality of government transparency x OGP guidelines, (ii) how civil society acted during this period, (iii) OGP enforcement mechanisms to deal with non-compliance, (iv) the indirect pathway to implementation of Open Government Partnership (Piotrowski et al., 2022) and (v) AI, disinformation and the role of transparency.

This article concludes that it is essential to reflect on the challenges and limitations of open government institutionalization at the national level, the significant future risks posed by AI and disinformation, and the necessity for an Open State that promotes open government principles not only in the executive branch but also in the legislative and judicial branches.

Brazil: 100-year-old Secrecy under Bolsonaro's Government

The 100-year-old veil of secrecy is contained within the FOI law introduced by the Lula administration and ratified in November 2011 under President Dilma Rousseff's government. It aimed to abolish perpetual confidentiality surrounding public documents. The Brazilian FOI establishes parameters for categorizing sensitive governmental data into distinct periods of secrecy (5, 15, and 25 years). It also delineates confidentiality to personal information.

After several abuses on FOI during Bolsonaro Administration, Transparency Brazil (2022) analyzed the 1,379 confidentiality decrees issued by the Federal Government from 2015 to 2022. It highlighted that 1,108 of them were enforced during the Bolsonaro Administration (2019-2022) as part of his anti-transparency behavior regarding his activities as well as from his family and his ministers, systematically circumventing the constitutional principle of publicity and the right of access to public information.

Graphic 1
100-year-old secrecy decree by the Brazilian Federal Government

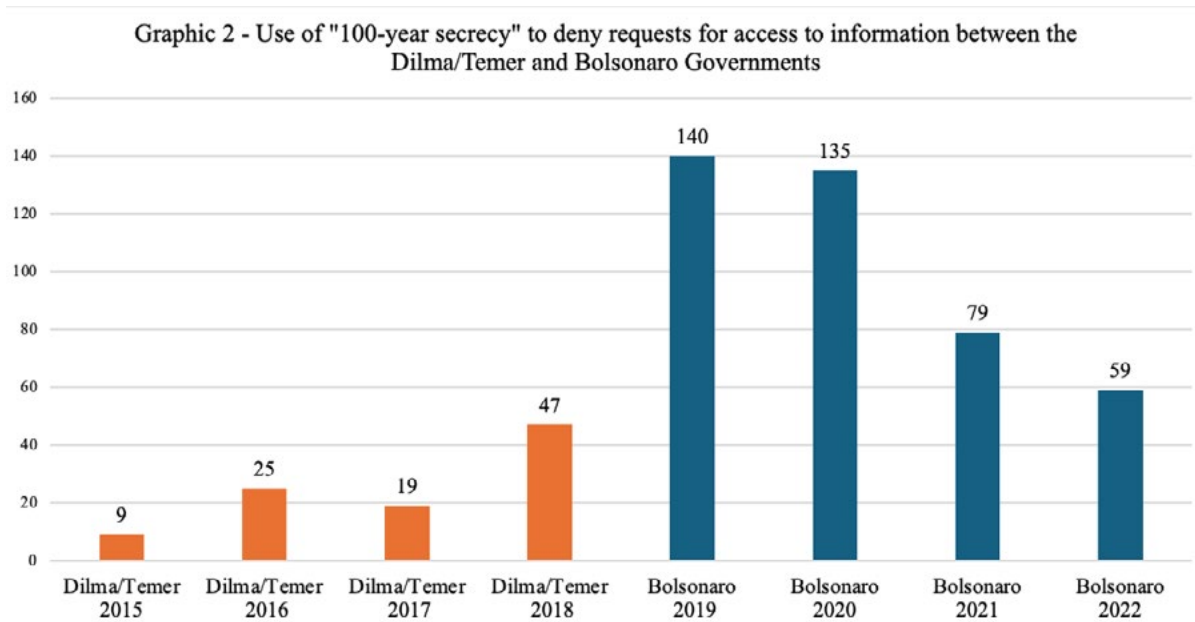Graphic 1 - 100-year-old secrecy decreed by the Federal Government
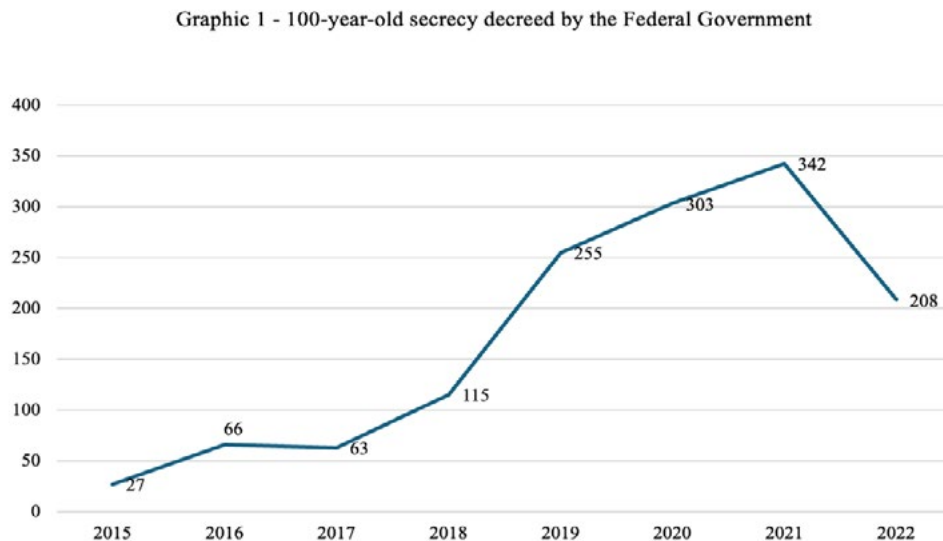
Source: Transparency Brazil (2023).

According to the study, Bolsonaro's administration was responsible for an unprecedented number of negatives to FOI claiming personal data protection based on Article 31 (personal information). The report states that out of the 513 requests incorrectly denied due to 100-year secrecy registered from 2015 to 2022, 80% occurred during Bolsonaro's government. The analysis of these cases revealed that the denials were incorrect, as all the requests pertained to matters of clear public interest and did not involve issues related to personal intimacy, private life, honor, or the image of individuals.

Graphic 2

Use of 100-year secrecy to deny requests for access to information between the Dilma/Temer and Bolsonaro Governments

Graphic 2 - Use of "100-year secrecy" to deny requests for access to information between the
Dilma/Temer and Bolsonaro Governments

Dilma/Temer 2015	Dilma/Temer 2016	Dilma/Temer 2017	Dilma/Temer 2018	Bolsonaro 2019	Bolsonaro 2020	Bolsonaro 2021	Bolsonaro 2022
9	25	19	47	140	135	79	59

Source: Transparency Brazil (2023).

One month after Lula's new government took office, the Comptroller General of the Union (CGU) completed a review of the secrecy imposed on publicly accessible documents. It published a normative document describing the procedures that the FOI must follow in a clear and precise way to guide and regulate access to information. The document reinforced the public advertising of information such as entry and exit records of public buildings, disciplinary procedures for military personnel, tenders, contracts, and government spending, academic qualifications and CVs of public agents, public tests and competitions, clarifications on how the safeguarding of personal information should be used and an emphatic defense of the FOI for an open, participatory, and inclusive State[1].

Coalition Presidentialism and Budgetary Process Transparency

In Brazil, as part of the so-called coalition presidentialism, the president negotiates with several political parties the legislative support that allows him presidential governability (Figueiredo & Limongi, 2001, 2008). In the search for a coalition, allocation of positions within the Executive, agencies, and state-owned companies and budget resources are negotiated, such as budget amendments, to which each member of Congress has a defined quota and which are usually used in their electoral strongholds. The amendments are part of the budget law, the most complex and vital law voted annually, are part of a calendar that involves the budget guidelines law, annual budget law, multi-year plan, and fiscal responsibility law, and are the prerogative of the executive branch (Brelaz, 2012; Brelaz & Alves, 2013).

Transparency is presented as the solution for many issues, improving government accountability, democratic deliberation, citizen empowerment, public-spirited regulation, and public trust in the policy process (Pozen, 2020, p. 326). However, it can also cause public problems as it might enhance the power of lobbyists and private enterprises or facilitate anti-regulatory or neoliberal agendas (Pozen & Schudson, 2018; Pozen, 2020; Michener, 2021).

However, this paper argues that the importance of transparency in the execution of budgetary resources is crucial for allowing the public to understand how the government utilizes their taxes and fees and how these funds benefit society (CGU, 2023). In executing public resources, there is a consensus that public money must be transparent in its application and that governments must be accountable to the Courts of Accounts and society. As Kwoka (2025) affirms:

> Government transparency has been transformed into a global value, a necessity in any democracy, and a human right enshrined in constitutions. On an individual level, it acts as a "key" that unlocks other rights by guaranteeing access to information necessary to pursue full vindication of civil, political, social, and economic rights. At a structural level, it safeguards against corruption, checks excesses in government power, and facilitates democratic participation in governance through voting and beyond. (p. 5)

Legal Architecture Against the Transparency of Budgetary Resources - Amendments and Changes in the Federal Constitution

Faria's (2023) in-depth analysis of changes in norms and the Federal Constitutional framework presented the structural changes in the discretion of resource allocation and suggests that since 2013, the traditional Executive Power dominance model has gradually

transformed towards Legislative preeminence in the budget definition. Significant changes in the normative rules of resource allocation concerning parliamentary amendments (resources that each federal deputy/senator receives and can allocate according to his own will) have been observed during the last governments with significant changes during Bolsonaro's administration amendments process (codes: RP-6, RP-7, RP-8, and RP-9 for individual, bench, committee and of the rapporteur[2] amendments).

These changes prioritized individual amendments, characterized by particularistic and individualistic traits, catering to the regional and dispersed electoral constituencies of parliamentarians and showing less alignment with the overarching policies of the federal government, which typically involve broader planning criteria. Additionally, many of these resources need more transparency regarding sponsorship. As the budget execution is constitutionally assigned to the executive, these changes and the "super" legislative power lead to a deviation of budgetary prerogatives: "This deviation operates simultaneously by weakening the role of Congress in its primary activity of overseeing the implementation of the budget and shifting its role to the establishment of a progressive control over the implementation of expenditure" (Faria, 2023, p.13).

RP-9 amendments were created in the Bolsonaro administration to gain support from members of Congress by distributing resources for construction and services in the cities without the authors' sponsorship information that made the indication. The Supreme Court banned this practice, but legislative creativity added to a sophisticated ability and understanding of norms, allowing the design of a new normative architecture. In the first year of Bolsonaro's government, amendments were approved by Temer's government, and the first year of the Lula 3 government was approved in the last year of Bolsonaro's government. It is essential to observe how, in Bolsonaro's government, the value of the amendments increased significantly. With this growth also came a lack of transparency, and these amendments started to be called "secret budget" (RP-9 amendments). After the Supreme Court prohibition, it became Pix amendments in reference to "Pix," a Brazilian instant payments system where money transfers are carried out quickly and securely to the destination.

Table 1

Parliamentary Amendments (in billions of Reais - R$)

Table 1 - Parliamentary Amendments (in billions of Reais - R$)

| Year	Individual Amendments - RP-6	State Bench Amendments - RP-7	Permanent Committee Amendments - RP-8	Amendments to Budget Law General Rapporteur - RP-9	Bench Amendment with RP-2	Total
2014	R$ 8,672 billions					R$ 8,672 billions
2015	R$ 9,663 billions					R$ 9,663 billions
2016	R$ 9,097 billions					R$ 9,097 billions
2017	R$ 9,099 billions	R$ 6,066 billions				R$ 15,165 billions
2018	R$ 8,774 billions	R$ 3,071 billions				R$ 11,845 billions
2019	R$ 9,144 billions	R$ 4,580 billions				R$ 13,724 billions
2020	R$ 9,468 billions	R$ 5,927 billions	R$ 687,286 millions	R$ 30,124 billions		R$ 45,520 billions
2021	R$ 9,670 billions	R$ 7,302 billions	-	R$ 18,530 billions		R$ 35,502 billions
2022	R$ 10,930 billions	R$ 5,867 billions	R$ 2,403 billions	R$ 16,500 billions		R$ 35,700 billions
2023	R$ 21,246 billions	R$ 7,692 billions	R$ 7,567 billions	-	2,680 billions	R$ 39,185 billions
2024	R$ 25,069 billions	R$ 8,557billions	R$ 16,700 billions	-	2,756 billions	R$ 53,082 billions

Source: Integrated Planning and Budget System (SIOP) of the Federal Budget Secretariat of the Ministry of Planning and Budget. (Faria 2023) - Adapted - 1US$ = 4,95 R$

Part of these resources are sent to municipalities (5,570 in Brazil) or states (26 and the federal district) indicated as beneficiaries in a manner that makes it impossible to track how the money is used. The Federal Supreme Court tried to inhibit that modality, prohibiting rapporteur amendments. However, new norms and constitutional amendments were quickly created, allowing the rapporteur (RP-9) to become a committee amendment (RP-8). This arrangement supposedly involves collective decision-making regarding how public resources should be spent. However, this spending still needs transparency (Galisi, 2023; Shalders, 2024).

Although Lula made a strong critique of the amendment's regime extensively used by Bolsonaro due to the volume and the lack of transparency, they continued with the decision of Congress because of the new sophisticated legal framework. They were enhanced in the 2024 Budget Law, as Table 1 and Graphic 1 demonstrate. This amount is the highest of the last years, R$ 53 billion, much superior to the executive proposal for 2024 of R$ 37,6 billion and the 2023 amount of R$ 36,5 billion. The committee amendments (RP-8) passed from R$ 6,9 billion in 2023 to R$ 16,6 billion in 2024. Half of the 2024 amendments, 24,8, billions are considered Pix and lack transparency.

Graphic 3

Parliamentary Amendments (in billions of Reais - R$)

Graphic 3 - Parliamentary Amendments (in billions of Reais - R$)
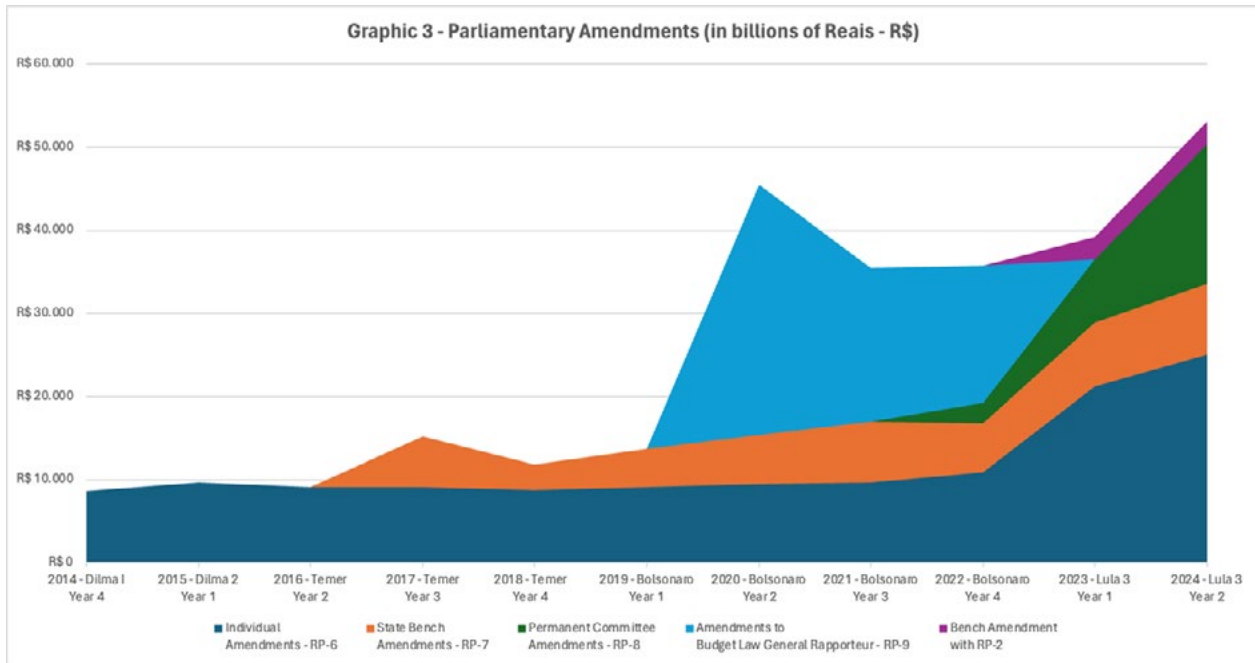
This transfer of resources directly to city halls and states without the need for any linked project, and in a municipal election year, means an opportunity to divert public resources, influence municipal elections, and enhance corruption. This situation is typical, especially in a country with limited control institutions and municipal accountability (Fernandes et al., 2023).

The Federal Audit Court investigated amendments expenditures in recent years and has already pointed out several cases where these resources are being transferred to contractors belonging to parliamentarians' relatives. Examples of misuse include paving roads that lead to parliamentarians' farms, engaging in overpriced purchases, among other types of corruption and misuse of public money.

A recent study by Manuel Pires (FGV) considers that in a mature process, the Congress contributes to the definition of goals and priorities regarding public policies. However, the situation in Brazil reflects a microcosm in which local actions ensure support from electoral bases (Watanabe, 2024).

In a new decision from the Federal Supreme Court, on August 1st, 2024, after a conciliation audition between executive, legislative, and judiciary representatives, promoted by the new judge of the Supreme Court indicated by Lula, Flavio Dino, the Pix amendments were suspended because they do not follow criteria of transparency and traceability. For the same decision, the General Comptroller of the Union (Controladoria Geral da União - CGU) will have to audit the previous amendment within 90 days. In the days that followed, the legislative branch appealed

the decision. Until the end of 2024, the parliament and the Supreme Court struggled for these resources. Part of this resource was transferred, even though it lacked information, and part is waiting for more transparency regarding which parliament member sends the resource and how it will be spent.

As a founder and part of an international partnership that advocates for open government, how is this lack of transparency possible, and how is it being addressed nationally and internationally?

Open Government in Brazil and the Open Government Partnership

Brazil is now initiating its 6th Open Government Plan, co-created with society and presented in December 2023. The 6th National Action Plan was co-created by government bodies with the participation of civil society, following OGP standards to encourage open government practices and following the principles of transparency, social participation, and responsiveness. In the 6th Plan, eight commitments were agreed to be implemented between January 2024 and June 2027. According to the plan, a key action outlined in the plan is the adoption of a national open government strategy, which is essential for solidifying the open government agenda across the federal government, other branches of government, and subnational entities (CGU, 2023).

Table 2

Brazilian Open Government National Plans – 2012-2027

Plan	Period	Government
1st Open Government National Plan	2012-2013	Dilma
2nd Open Government National Plan	2014-2015	Dilma/Temer
3rd Open Government National Plan	2016-2017-2018	Dilma/Temer
4th Open Government National Plan	2018-2019-2020	Dilma/Temer
5th Open Government National Plan	2021-2022-2023	Bolsonaro
6th Open Government National Plan	2024-2025-2026-2027	Lula

The CGU, responsible for conducting the Open Government policy, has reaffirmed its commitment to this initiative. In addition to analyzing the 100-year-old secrecy decrees and preparing the Open Government Plan, the agency expanded civil society participation by inviting more members to the so-called Council for Transparency, Integrity, and Combating Corruption. However, it is worth noting that participation in this council was made by CGU invitation, not by an open call with transparent criteria for civil society to apply and participate.

The commitments for the 6th Brazilian Open Government Plan published in December 2023 are exposed in Table 4. The plan does not mention budget transparency for parliamentary

amendments, although national pressure (media and civil society organizations, mainly) demands this kind of transparency. The closest commitment, the second, "Data to collectively combat corruption," does not include details for developing activities and actors responsible for open data on budget and amendments allocation (CGU, 2023b).

Table 3

6th Open Government National Plan Commitments – Brazil – 2024-2027

Commitment 1	Instruments to improve transparency and social participation in public infrastructure policies.
Commitment 2	Data to collectively combat corruption.
Commitment 3	Collaborative practices for science and technology.
Commitment 4	Culture of access to information.
Commitment 5	Ethnic-racial affirmative action data.
Commitment 6	Digital and media education for older people.
Commitment 7	Better services for family farming.
Commitment 8	Social participation and popular education in the territories.

The Work Plan of the Transparency, Integrity, and Combating Corruption Council, approved in December 2023, also does not indicate budget transparency and allocation of parliamentary amendments (CGU, 2023cCivil society members of the working group participating in the plan co-creation process showed their position about the importance of transparency of budgetary resources during the process; however, the commitments did not include this in detail. This position is also in the published minutes of meetings. During Bolsonaro's administration, meeting minutes were not published, and members of civil society claim to have addressed this issue in the meetings. This absence of note for transparency in budgetary allocation raises a red flag regarding how CGU acted during the Bolsonaro administration and how Lula's Government addresses this relevant topic, considering that CGU is the public agency responsible for conducting the Open Government Policy in the country.

OGP has mechanisms to alert countries that do not comply with OGP values and principles: the Policy on Upholding the Values and Principles of OGP (Response Policy). To address this, an inquiry must be initiated by a member of the OGP Steering Committee—either from the governmental or civil society sector—a multilateral partner, a co-anchor of a working group, or any entity that is currently involved or has previously been involved in OGP at either the national or international level within the country concerning the issue at hand (the Subject). Following an informational protocol, the concerns must be sent further for investigation (OGP, 2024). During Bolsonaro's Administration, there were no formal complaints to OGP regarding Brazil's noncompliance with OGP values and principles.

The Response Policy aims to maintain OGP's credibility – and safeguard its long-term future – by helping to ensure that all Participating Countries uphold OGP values and principles, as expressed in OGP's foundational documents, the Open Government Declaration (which all countries endorse when joining OGP, albeit in a non-binding, voluntary manner), and the Articles of Governance. OGP's actions under the policy will be to: 1) assist in overcoming difficulties and to help re-establish an environment more conducive to government and civil society collaboration; and 2) Safeguard the Open government and mitigate reputational risks to OGP (OGP, 2024).

OECD Public Governance Review "Open Government Review of Brazil" (2022) analyzed open government policies in the last ten years with key findings and recommendations in 497 pages. The report, which also reviewed the Bolsonaro administration, is straightforward in affirming public officials' limited view of open government, the lack of ambition of the open government framework, the obstruction of freedoms and rights to participation, and the decreasing of participatory practices and diversity. Moreover, it signals the spread of mis and disinformation, restriction of public debate, and violence against journalists. It also mentions that the government is not creating an open state framework to promote open government reforms across the executive, legislative, and judiciary in all levels of government, and more efforts need to be put into practice for the Access of Information Law in all branches and levels of government. As recommendations, the OECD suggests adopting a more ambitious approach to open government, a Federal Open Government Strategy, more participation of civil society and protection of civic space, the creation of a transparency observatory, and strengthening access to information, among others.

Mexico's Backslides in the Last Years

BMexico, another founding country of the OGP, is also an example of a populist government's impact on open government, in this case, left-winged populism. Nieto and Cejudo's (2024) analysis regarding the role of organizational routines, one of the centralities of the sociology of organizational institutionalism, in sustaining open government under policy dismantling is an essential contribution to the Mexican case. The authors present different lenses and references to democratic backsliding. When the executive powers become very strong and constrain the rule of law (Levitsky & Ziblatt, 2018), dismantling of policies and institutions that destroy democratic norms, values, and practices in a drastic manner or gradually under the framework of policy dismantling (Milhorance, 2022; Jordan et al., 2013), among others. The strategies vary and can comprise power concentration, reduction of accountability and checks and balances, attack on civil liberties rights (in the case of journalists, for example), and limiting professionals and citizens, in general, to hold officials accountable and expressing different points of view

(Waldner & Lust, 2018) and vary in strategies: dismantling by default, dismantling by arena shifting, symbolic dismantling and active dismantling (Bauer & Knill, 2014). Investigating the effects of democratic backsliding on public policies and bureaucratic frameworks is an important and essential pursuit (Dussauge Laguna, 2022).

Academic lenses also focus on understanding what prevents democratic erosion and policy dismantling. Nieto and Cejudo (2024) analyze how routines in public bureaucracies may have acted as barriers since 2018 when Manuel Lopes Obrador (AMLO) was elected:

> Routines are repetitive, recognizable patterns of interdependent actions by organizational actors or subunits (Pentland & Haerem, 2015). They encompass ostensive and performative components that evolve and become integral to organizational behavior (Feldman & Rafaeli, 2002). Therefore, routines may significantly influence the direction and effectiveness of policies. Applying this perspective to the context of policy dismantling, we argue that established routines within public agencies can function as "policy dikes", offering resistance against, delaying, or mitigating attempts to dismantle policies in the short and middle term (Nieto & Cejudo, 2024, p.4).

The attacks of AMLO (2018-2024) to open government institutions and transparency in Mexico were broadly widespread by the national and international media. The National Institute for Transparency, Access to Information and Protection of Personal Data, known as the INAI, an autonomous constitutional body that guarantees compliance with the right to access public information and the right to protection of personal data, was vigorously attacked with a lack of resources and doubts about its integrity. The INAI is responsible for guaranteeing that "any authority at the federal level, autonomous bodies, political parties, trusts, public funds, and unions; or any physical or legal person that receives and uses public resources or performs acts of authority, provides (...) public information" (INAI, 2024). In short, INAI had strong presidential opposition; congress members neglected this reality, the resources constraint, and the new transparency strategies with weak execution and superficial commitment to open government (Nieto & Cejudo, 2024).

Kwoka's (2024) in-depth research considers the INAI the most celebrated information commission in the world defined its public servants as Transparency Angels. The author affirms that INAI is central to transparency and to democratic governance in Mexico, highlighting how the well-designed legal architecture and information commission enabled the INAI to accomplish its mission to guarantee access to information as a fundamental human right and to counterweight democratic backslide.

Doublespeak populism[3] can be observed in AMLO's governmental practices when the president uses emotional, quasi-religious rhetoric to mobilize support, ambiguous and misleading language, commonly used to manipulate public perception and justify nontransparent attitudes, and that also creates a division between the poor, the masses and the rich, the elite. The speeches, used as daily press briefings that lasted 1.5 hours, were presented with accessible plain language, at the same time avoiding transparency regarding public events and governmental policies, granting AMLO political control over the national political agenda and media as he centralized the communication of the government with very active participation in social media and the disbanding of ministerial communication offices to consolidate their resources within the President's office (Dussauge-Laguna, 2022).

Some of the tactics of AMLO's administration to mine open government and transparency involved centralizing decision-making and undermining the independence and legitimacy of institutions and their integrity, attacking bureaucrats' salaries and careers, bypassing bureaucratic norms and going against administrative principles, and changing public policies in a controversial manner with the rhetoric of people's will. These dynamics strongly affect transparency, open government initiatives, and democracy's health.

As Nieto and Cejudo (2024) pointed out, "routines" helped combat this dismantling. By analyzing information from 37 federal organizations (ministries, agencies, regulatory bodies, judicial and legislative organizations, among others) from 2017-2023, using the Open Government Metric (MGA – Métrica de Gobierno Abierto - publicly available) that analyses transparency and participation, the authors sustain that there is a complex interplay between organizational routines and policy resilience, especially routines that are highly formalized, regularly activated by external demands, that have been realized for longer time and reproduced in more organizations. This is the basis of the process of institutionalization, as will be discussed in the following item. Therefore, "These routines not only ensure the continuity of policy by "diking" critical components in the face of adverse conditions but also highlight the potential for organizational practices to safeguard policy goals" (Nieto & Cejudo, 2024, p.37).

Argentina's preliminary scenario

In Argentina, the third case presented in this paper had just begun Javier Milei's government

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3 "Doublespeak populism refers, first, to a situation in which political leaders use the traditional populist rhetoric (mainly based on the idea of a conflict between "corrupt elites" and "good people"; see Mudde & Rovira 2017; Müller 2016b) to disguise their true policy intentions. Phrases and terms that supposedly advance the long-forgotten needs of the people actually hide a rather different (even opposite) intention. Second, doublespeak populism allows politicians to present their political strategies in a positive light, thus deflecting political contention over their real meaning and consequences. In the end, doublespeak populism matters because the rhetoric used by politicians to package their proposed policy and administrative changes, allegedly "wanted by the people," in fact brings with it measures that hurt the basic needs of the population they are supposed to benefit" (Dussauge-Laguna, 2022, p.179).

(December 10th, 2023). Therefore, this article brings a preliminary analysis regarding open government policies conducted by this right-wing populist government that has extreme anti-establishment rhetoric. Milei poses as a defender of the people against a corrupt and inefficient system that uses social media widely as well as plain language and direct speeches to connect with his supporters, which bring simplified and drastic solutions to complex problems that have prevailed for decades and the promise of rapid change. Since Argentina has been suffering for decades under diverse social and economic crises and impoverishment of the population, this strategy contributed significantly to Milei's popularity and to winning the election. However, what happened next regarding participation accountability and transparency? What happened with the open government strategy?

After taking over the government, it was possible to observe the resignation of the leadership of the area conducting the open government policy at the national level, followed by a political indication of a person who has expertise and legitimacy in the open data and open government with previous experience in other research and civil society organizations instances and the maintenance of permanent public servants/bureaucrats people who have been in the area since the beginning of the policy in 2010. It is possible to observe the process of revolving doors where the movement of individuals between roles in government and positions in civil society organizations connected to open government policies guarantees that leadership with expertise in the area continues to conduct this policy nationally.

The maintenance of the implementation of the 5th Open Government Plan was the focus of the initial months, showing the importance of routines brought by the OGP strategy, which was crucial for not having a solid policy discontinuity due to governmental change. However, the participation of civil society organizations has changed. Some organizations that used to participate in co-creation spaces and forums are no longer participating, and new ones are taking place. The hypothesis for this change, to be confirmed with future research, might be that Civil Society Organizations (CSOs) choose not to participate in Open Government activities in Milei's administration or do not feel welcomed by the new government modus operandi. There have been several changes in the new government versus the previous, especially in economics, gender, and environmental policies.

Javier Milei's administration is interested in joining the Organization for Economic Co-operation and Development (OECD) and the benefits of this governmental platform. OECD 2019 Argentina report regarding the Open Government strategy after a mission in 2018 set a list of recommendations that should be followed to prepare for entering the group.

The assessment presented in this OECD Open Government Review is grounded in the OECD Council's Recommendation regarding open government. This recommendation, adopted in

December 2017, constitutes the first international legal framework on open government. It also encourages the integration of open government strategies and initiatives with, and their support for, all pertinent national and sectoral socio-economic policy goals across all levels of government. Argentina endorsed the OECD Recommendation in July 2018 and is the first nation globally to be evaluated based on its ten provisions (OECD, 2019). The Review's main policy recommendations for the Argentinian government were as follows:

> • Create a National Open Government Steering Committee to coordinate the country's entire open government agenda with all relevant stakeholders; organize regular Open State Meetings of the Committee to harmonize approaches.
> • Design and implement the National Open Government (or Open State) Strategy to enable a whole-of-government approach to open government. The Strategy could be developed within the framework of the National Steering Committee and its Open State meetings.
> • Involve all branches of power and levels of government in the development of the National Strategy to ensure it reflects a shared vision, common objectives, and a common understanding of what open government entails.
> • Ensure the effective implementation of the Law on Access to Public Information through simple request procedures for citizens, clear legal enforcement, and strong appeals procedures that create legal certainty for all actors involved.
> • Consider developing a strategic document or law on stakeholder participation to improve harmonization and alignment of stakeholder participation practices.
> • Ensure close interaction among the different bodies within the Government Secretariat of Modernization in charge of open government, digital government and open government data, to improve the design and delivery of public services, prioritize data publication, and foster data re-use.
> • To Include specific monitoring and evaluation provisions in the recommended National Open Government (Open State) Strategy. (OECD, 2019, pp .20-21)

By 2019, the OECD recognized that Argentina had made substantial efforts to enhance coordination and collaboration between branches of power in the promotion of open government principles being the next step in an open state strategy:

> In an effort to promote a more holistic approach to open government, Argentina, like many OECD countries, has promoted greater collaboration among all branches of power and levels of government, exploiting synergies and sharing good practices. To continue this move towards what the OECD Recommendation on Open Government defines as an "open state, the Argentinian government needs to build on the opportunities offered by the extensive restructuring of its administration carried out in 2018. It should focus on institutionalizing its ongoing efforts to ensure sustainability and continuity in the medium and long term (OECD, 2019, p.19)

Therefore, in May 2024, during the Open Government Week, an annual event where worldwide OGP members connect, discuss, and promote transparency, accountability, and citizen participation in government, in their countries and localities by bringing together governments, civil society organizations, and the public to emphasize the importance of open government practices, the Argentine Government launched the Federal Open State Program that is a commitment of the 5th National Action Plan for Open Government, carried out by the

National Directorate of Open Government (Office of the Chief of Ministers) and the Directorate of Municipal Training (Ministry of the Interior). Its objective is to support provincial and municipal governments and institutions of the Legislative and Judicial branches in designing and implementing Open State policies to strengthen institutional capacities and innovate in public management.

However, in September 2024, Decree 780/2024, signed by the President, changed the course of the open government policy. The decree established new limits on the right of all persons, guaranteed by law, to access public information by modifying the definition of public information. FOI specialists saw this as an affront to international agreements that Argentina is a signatory, and the Supreme Court's understanding expressed in Law 27.275/2016. The fundamental legal principle that supports this right is that information is presumed to be public, and secrecy is the exception. At this moment, organizations such as the civil society organization *Poder Ciudadano, Fundación Transparencia Activa*, and multilateral organization UNESCO/UN, among others, argue about the attack on freedom of expression and access to information rights and the legality of the decree, considering that it cannot overrule a law democratically sanctioned by the National Congress.

It is believed that this attitude is a response to the questioning from civil society organizations and journalists on information regarding the president's dogs and people's entrances to the house he lives in (*La Quinta Presidencial de Olivos* - home of Argentine Presidents) in press conferences and by access of information solicitudes.

Even though the 5th Open Government Plan compromise of developing Open State initiatives that involve executive, legislative, and judiciary powers at the national, provincial, and local levels was amply disclosed in May during the international 2024 Open Government Week that diffuses open government initiatives worldwide, the presidential attitude with the Decree 780/2024 in September to restrict public information is an example that indicates a frequent populist leader behavior regarding public transparency.

More time is needed to draw conclusions about open government policies in Argentina under Javier Milei's administration, but recent facts point to a negative perspective on the participation, transparency, and accountability values of open government in Argentina.

AI, Disinformation, and the Role of Transparency – New Risks

The lack of transparency mentioned previously is enormously affected by the current disinformation environment enhanced by new AI. Disinformation is disseminating false information to deceive or cause harm, also known informally as "fake news". It is constantly

increasing and posing significant threats to democracy and its institutions, which require diverse and reliable sources of information. Disinformation differs from misinformation when false information is created without the intention of causing harm (Roberts-Ingleson & McCann, 2023).

Combating it is now one of the top priorities regarding regulation, and governments worldwide are delving deeper into the mechanisms and dealing with the power of platforms and information networks that are also connected to the world's actual polarization.

At all times in history, manipulation, and deception have been expected. However, disinformation has reached unprecedented levels in the current digital era, with an exponential increase in false messages. This phenomenon coincides with a decrease in confidence in journalistic media, which leads many citizens to consume unverifiable content from digital sources, especially those with extreme attitudes that question traditional information and that enhances polarization. Fact-checking resources of news is becoming more common, but are rarely used by the population massively (Salaverría & Cardoso, 2023)

Additionally, AI technologies today allow the creation of videos of identical content in terms of voice and images that can be used shady and thus produce disinformation that is "seemingly legitimate but artificially fabricated evidence that supports their proposed narrative" enhancing even more radicalization. This content has high quality and can be produced fast by anybody without special editing skills. AI also creates falsified discussions and forums that are presented in social media as if they were real, giving the idea that numerous citizens engage in that discussion, helping to recruit for a particular ideology (Williams, Ioannu & Calli, 2024; Lacroix, 2023).

The reality regarding (dis)information is not promising in Brazil, Mexico, and Argentina, and it is necessary to discuss the strategies being put in place to minimize the risks caused to democracy. We can highlight (i) the importance of regulating digital platforms responsible for the large circulation of this "fake" news, which is not punished in these countries. In the case of Brazil, a bill that aimed to discuss disinformation, PL 2.630 on Fake News, was removed from the Congress agenda in 2024, and a new Working Group was created to discuss this issue, which has yet to bring proposals.

Additionally, there are (ii) fact-checking tools, and (iii) media and information literacy (MIL) strategies that train young and older citizens in digital skills to achieve safe practices in the consumption of information are increasing (Salaverría & Cardoso, 2023). Econometric analyses show that disinformation can increase the cost (audit) or reduce the benefit of information, leading to a suboptimal level of information in the economy. Education might be a tool to

recognize disinformation and combat problems of low-quality information (Lisi, 2023). Moreover, there is also the strategy (iv) of active transparency in providing accurate information about public data to build public trust and combat disinformation, one of the pillars of open government policy. According to the Canadian Government, the strategy for this is: "share accurate information with your audience ahead of time (pre-bunking); support digital literacy; being open and transparent; engage your audience frequently; acknowledge what you do not know" (Government of Canada, 2024, p.8).

Therefore, this research reinforces the importance of active transparency in building trust, informing society where to obtain the correct information, and making it available to verify governmental policies and resources. This helps to fight corruption and promote integrity.

Methodology

Regarding methodology, this article is based on an analysis of seminal and recent articles in prestigious journals and books on topics such as transparency, populism, open government initiatives, AI and disinformation, the relationship of the executive and legislative powers, and the legal architecture of the amendment process in the Brazilian case. This was combined with reports from multilateral organizations (OCDE, OGP, Transparency International) that provided updated global perspectives, expert authorship, data-driven insights, and mainstream media coverage since 2018 that reflected real-time events and public discourse.

The conversations and interviews in this research were largely opportunistic. They were conducted in-person and online in a flexible format with experts, stakeholders, and participants. They occurred serendipitously, often arising during casual interactions, meetings, or events where the opportunity to discuss relevant topics naturally presented itself. These interviews were not pre-planned or structured but were driven by convenience and the individuals' availability. Such spontaneous interactions helped build rapport with participants, encouraging open exchanges and providing invaluable insights that allowed exploring perspectives that might not have been captured otherwise.

This approach is ideal for studying contemporary issues that require diverse perspectives and a mix of qualitative and quantitative data. This holistic approach integrates diverse perspectives, offering a richer understanding, and is valuable for addressing real-world, complex issues that require inputs from different sectors and stakeholders.

Theoretical Framework and Analysis

In his recent comparative article between Trump and Bolsonaro's administration before

and during the pandemic, Michener (2023) addresses the impact of populist governments on transparency that use different tactics to undermine democratic institutions: "The weakening, erasure, suppression, and corruption of transparency starve democracy of its oxygen – the free flow of information" (p.1). The tactics include a) efforts to undermine transparency institutions through noncompliance and regulation, b) elimination and repression of transparency, and c) subversion of transparency through misuse and misinformation. These tactics were clear with the data brought on 100 years of secrecy documents.

Additionally, changes in the budgetary law and Federal Constitution, mainly in Bolsonaro's administration, allowed the institutionalization of a budget elaboration process that gives more discretion to the parliament in distributing public resources to their regional beneficiaries without transparency and accountability. It is possible to observe the use of the rule of law (decrees of secrecy and architectural changes in budgetary law) to undermine international agreements with multilateral organizations on open government. The lack of transparency regarding amendments occurred under both the Bolsonaro and beginning of Lula administrations. Only after 1.5 years did the new government signal to impose the rule of law of transparency on amendment expenditures with the support of the new Judge of the Supreme Court, Flavio Dino, as indicated by Lula. In the case of Mexico, in November 2024, in the new government of Claudia Scheinbaum, AMLO's chosen successor, the Senate approved the extinction of the INAI and six other autonomous agencies. The constitutional reform, sent by AMLO in the last moments of his government, eliminates the body responsible for ensuring transparency in the three branches of government and decentralized entities and incorporates it into the executive structure, which specialists strongly criticize as a substantial risk to governmental transparency and accountability (Jimenez, 2024; Nieto-Morales, 2024).

Institutionalization refers to the process whereby social behaviors, obligations, or realities gradually acquire the status of a rule in social thought and action (Meyer & Rowan, 1977). In other words, something becomes "institutionalized" when regarded as a rule, and any alternative is deemed unthinkable. Time is directly linked to institutionalization, as it increases with the continued transmission of norms, procedures, routines, language, and actors involved in the process. According to Scott (2013), they can be divided into three pillars: regulative, normative, and cultural cognitive. In this case, the regulative would include budgetary laws, FOIA, and the federal constitution; the normative pillar would consist of members of the parliament, government, judiciary, and civil society; and cultural cognitive, the political culture, clientelism, coalition presidentialism, and civil society coalitions.

Thus, the normative parameters were changed for the mandatory execution of discretionary programs, individual and bench amendments, and the rule of proportional

limitation of discretionary expenses and parliamentary amendments. In addition, parliamentarians began to monitor the reallocations of their amendments and the mandatory execution through the primary result identifiers created (RP-6, RP-7, RP-8, and RP-9) and the execution of expenditure in favor of the indicated beneficiaries. The control of the budget by the National Congress was significantly expanded.

With the change in budget rules, we understand that there is a potential increase in the governance costs of Brazilian multiparty presidentialism. Additional resources become necessary to form the base and the government's support. As parties solve problems, other clientelist resources will be needed to cement the composition of the government's parliamentary base (Faria, 2023).

When the research for this article began, the focus was on analyzing the backslides to democracy in Bolsonaro's Government regarding open government and one of its pillars, transparency. However, recently retrieved data amplified the analysis towards the first two years of Lula's government. What is transparency and open government like within the Lula Government regarding budgetary expenditures? Afterward, these analyses expanded the AMLO government in Mexico, widely known as a populist government, and to the beginning of the Argentine government.

According to Abrucio (2024), coalition presidentialism has significantly changed recently. The country is highly polarized, Congress has too much power, is conservative, and the president is progressive. Due to the strengthening of Congress, the equilibrium between the executive and the legislative powers has changed. This fact also made the judiciary power more relevant, especially with Lula's indication of two new Ministers of the Supreme Court.

Regarding the 6th Open Government Plan recently co-created by CGU and civil society with compromises to be accomplished from January 2024 to December 2027, while the document emphasizes the importance of transparency for democracy, measures to ensure budgetary transparency, particularly parliamentary amendments, were not included and neither in the Work Plan of the Transparency, Integrity, and Anti-Corruption Council that the current administration conducted and approved in December 2023.

This study's findings suggest that maintaining budget transparency opaque is the new reality of Brazilian coalition presidentialism, the governance costs of Brazilian multiparty presidentialism.

Regarding Civil Society, it is possible to observe what Michener (2023) calls an emergent political actor: compensatory transparency initiatives (CTIs) that respond to "deficient or

unreliable public transparency. The CTIs include independent media, civil society, and data-capable, autonomous subnational governments"(Michener, 2023, pp. 24-25). It is necessary to analyze their advocacy strategies and impact. Civil Society and media during Bolsonaro's government played a role in combating authoritarian practices, and even though Brazil had backslid under Bolsonaro, he did not undermine Brazil's participation in the OGP consistent with other countries who went through the same situation with populist governments (Piotrowski et al., 2022). Transparency International Brazil, Transparency Brazil, and *Contas Abertas* organization presented an *amicus curiae*[4] (friends of the court) in the case in 2022, with evidence that the Secret Budget scheme persists in various forms, hijacking billions of reais from the public budget. The Attorney General's Office, General Advocacy of the Union (AGU), Union Accounting Court (TCU), and the Senate and Chamber of Deputies' legal offices were summoned.

According to Piotrowski et al. (2022), changes in Open Government initiatives can happen directly and indirectly. Rules, eligibility criteria, biannual evaluation process, and organizational leadership, among others, are the mechanisms facilitating a direct pathway of change or causation. However, "The future of open government may depend on how well governments can tie nongovernmental organizations and businesses into networks that support transparency, accountability, and participation, and deliver political justice in reforms (Piotrowski et al., 2022, p.222), especially on the indirect pathways. The role of these organizations in the three analyzed countries has been of great importance.

The indirect path of change needs to be analyzed more in future research: "Compared to the analysis of the direct pathway of change, examining the indirect pathway forces us to cast the research net much wider to examine processes that are activated outside of the immediate sphere of National Action Plan commitment" (Piotrowski et al., 2022, p.152) and that involves understanding the political dynamic as "linkages among organizations, norms and values, long-term planning, and horizontal forms of decision making" (Piotrowski et al., 2022, p.227) and "participation, deliberation, and collaboration among diverse stakeholders; the relationships that these create; and the repetition of these processes over time, which together can establish dynamics with long-lasting and powerful effects" (Piotrowski et al., 2022, p.229) helping to institutionalize open government in countries.

In some cases, the indirect pathway is more developed than others, influencing how robust the normative pillar (members of the parliament, government, judiciary, and civil society) is, as well as the cultural cognitive pillar (due to political culture, clientelism, coalition presidentialism,

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4 "Amicus curiae" is a Latin term meaning "friend of the court." In the legal context, it refers to a person or entity who, although not a direct party to a legal proceeding, offers additional information, expertise, or arguments to help the court make a more informed decision about a case.

civil society coalitions) that sustains or prevents Open Government institutionalization. Open Government as an institutionalized policy may not succeed without these normative and cultural cognitive variables. The previously presented Mexican Institutions routines reinforce the relevance of these activities for guaranteeing open government's institutionalization against dismantling.

Final Considerations

Populist governments harm open government policies, as the Brazilian and Mexican cases presented show. In the case of Argentina, although the Open State Strategy launched in May 2024 indicated that the country was implementing the 5th Plan established by the previous administration, which followed OECD recommendations, Decree 780/2024 represented a strong attack on open government principles.

The three countries are non-consolidated democracies that face constant risks to democratic strengthening. Transparency International Corruption Perception Index (2024) states that Brazil lost 2 points, falling ten positions in 2023 and finishing in 104th place among the 180 countries evaluated side by side with Algeria, Serbia, and Ukraine and below "the regional average for the Americas (43 points), the BRICS average (40 points) and even further away from the average for countries in the G20 (53 points) and the OECD (66 points)". Argentina lost one point, and Mexico stayed stable compared to the previous year. (Transparency International, 2024). The methodology used in the index is subject to criticism. According to Abramo (2005), there is no guarantee that the opinions collected to create the index are independent of one another, and there is a possible effect of ideological biases and media coverage influence. Additionally, it does not measure the integrity of a country's institutions and its evolution over time. However, the perception of corruption index has been broadly used in studies to analyze and compare numerous countries in recent decades.

This result draws attention to the fact that it is lower than the years of Bolsonaro's government (38). The report points to this as the result of dismantling the Bolsonaro government's anti-corruption legal frameworks and the challenges it generated for the first year of Lula's government. However, it also highlights the failures of Lula's administration to recover control of corruption in the political and judicial environment. It is essential to highlight the politics lying behind the two appointments of the Lula government (Teixeira, 2023; Caldeira, 2023) to the supreme court in 2023 and the decision made by Toffoli, the minister appointed by Lula regarding the JBS fine suspension in 2023 (Lima, 2023).

In 2024, the Supreme Court, headed by Minister Flavio Dino, 's attitude regarding budgetary amendments shows that anti-corruption actions are being enforced mainly by the judicial

power due to the weakening of executive in relation to legislative power.

Besides Brazil under Bolsonaro's administration and the problems that continue under Lula's government, AMLO's populist government and attacks on transparency institutions and policies set a red flag for open government policies in Latin America. Will the Brazilian Government regain the leadership that Brazil once had regarding open government in the region? What will Claudia Scheinbaum's posture regarding open government policies and agenda after the INAI extinction?

The organizational theory of institutionalism based on Meyer and Rowan (1977) and Scott (2013), as well as the Nieto and Cejudo (2024) analysis on routines, brings contributions to the understanding of institutionalization of open government in non-established democracies by focusing on administrative routines and bureaucracy resistance as a meso-level organizational mechanism that can help countries to sustain democracy under populist and authoritarian regimes.

The article methodology has several strengths but also limits and challenges. It is essential to mention that the mainstream media may exhibit bias or cater to corporate or political interests. Moreover, in the Brazilian case, the entrance of judicial power in enforcing transparency of amendments by the legislative power and day-to-day changes in the decisions were challenging to update in the research. In the case of conversations and interviews, the responses can be influenced by the interviewee's bias and motivations, as well as question framing. They may lack the rigor of formally planned methodologies.

Additionally, reports from multilateral organizations often rely on secondary data sources, which may have inconsistencies. This is essential, considering these findings based on three countries lack generalizability. To address these limitations, we cross-validated the data using multiple sources to verify information, reducing reliance on any perspective and acknowledging the document's limitations.

The study concludes, drawing on case studies and the sociology of organizations' theoretical framework, that open government policies are not yet institutionalized due to weak normative and cultural cognitive pillars and risks involving regulatory frameworks. Establishing an Open State with clear standards is a pathway to strengthen democracy.

Future research should focus on a detailed analysis of the (non)compliance of these countries' open government policies, especially regarding budgetary expenditures, the independence of Mexico's new transparency secretary and presidential communications, and recent attacks on FOIA in Argentina. Open washing, lack of transparency, and increase in corruption and its impact on municipal and national election results as well as cultural perspectives (Rose-Ackerman &

Palifka, 2016; Zang & Lavena, 2015) and the impact of integrity techies, digital technologies used to combat corruption (Odilla, 2025) are relevant topics. Considering the effects of frequently used AI on disinformation and the importance of transparency in confronting this movement, further research should discuss with academics, practitioners, and civil society its pathway to an Open State that establishes standards of transparency, accountability, and participation in the executive, judiciary, and legislative powers. Would the institutionalization of Open State policies diminish and restrain these backslides as it would constantly reinforce checks and balances? These are some ideas for a research agenda to deepen knowledge and prevent democracy and transparency backsliding in governments.

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