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The Power of Independence: Bureaucratic Autonomy and Democratic Erosion in the Trump Era

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**The Power of Independence:
Bureaucratic Autonomy and Democratic Erosion in the Trump Era**

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Public Administration

International and European Governance

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Introduction

“Remember, democracy never lasts long. It soon wastes, exhausts, and murders itself. There never was a democracy yet that did not commit suicide.” These words by founding father John Adams ring more true than ever in today’s political landscape as we witness a global trend of democratic backsliding. While these words are seemingly pessimistic, Adams uttered them to highlight the volatility and potential dangers of unchecked democracy. In recent years, this instability could be observed in many countries all around the world. Many previously democratic nations saw an erosion of democratic principles and institutions, turning down a road of democratic backsliding (Nord et al., 2024). The concept of democratic backsliding has gained prominence in political discourse in the last decade. Democratic backsliding is the gradual erosion of a democratic system. It is a slow process, however it can cause real damage to the democratic institutions present in a country (Cianetti et al., 2018, p. 245). This deterioration of democracy usually happens in subtle ways that are not immediately noticeable (Bauer & Becker, 2020, p. 20). As will be illustrated in the literature review, the (academic) debates on democratic backsliding are rising in popularity. However, something that has not often been discussed is its relationship to bureaucratic autonomy. Bureaucratic autonomy refers to the independence of a bureaucracy. It looks at the autonomy that an organisation has to make independent decisions and the power it has to work without (political) interference. Having a certain degree of autonomy is crucial for organisations to work in an efficient and effective manner (Bersch & Fukuyama, 2023; Bednar, 2023; Bauer & Ege, 2016). While the link between the concepts of democratic backsliding and bureaucratic autonomy might not make much sense at first, it could prove to be an important relationship. With the rise of populist leaders, it has become common practice for the public service to be attacked. Populist leaders, after being elected, often try to get control over the public administration. It is then important to consider how the bureaucracy reacts to these attacks, or

rather if they are able to defend themselves against political control (Moynihan, 2022). As of today, almost no research exists on this topic, and this paper intends to fill that gap.

Because this research is about democratic backsliding, a populist government had to be selected as a case study. With populism on the rise (Roth, 2017), there were a multitude of cases to pick from. Many interesting cases have been considered, such as Hungary under Viktor Orbán and Türkiye under Recep Tayyip Erdoğan. However, it was decided to focus on the United States (US) during the Trump administration. Admittedly, there were some practical considerations for choosing this case. Plenty of academics have devoted their attention to Trump's presidency and news coverage on the topic was abundant. Of course, this has also been the case for some of the other cases mentioned, but this case was preferred due to the availability of English language sources. However, above all, this case was chosen due to its interesting nature. The intriguing aspect lies in the reputation of the US as one of the foremost democratic nations. Even so, under the Trump administration, the underlying democratic structures of the US have been damaged. This has raised questions on how stable American democracy truly is. Studying this case will thus be extremely insightful, but above all relevant. Trump will be running again for president during the upcoming US presidential elections in November, making this research especially significant. Even though Trump has around 91 felony charges, the current polls predict he still has a fair chance at winning. At the moment, it is predicted that Trump and Biden will both receive roughly 45% of all votes, with most polls forecasting a slight advantage of one or two percent in favour of Trump (538 ABC News, 2024; 270 to Win, 2024). Analysing if, and how, bureaucratic autonomy influenced the state of democracy during his first term can provide insights that might be useful during a potential second term. In general, this research is both socially and scientifically relevant. Democratic backsliding is an issue that is becoming more frequent in nations all around the world (Nord et al., 2024). The effects of the erosion of democratic principles and institutions

can have a large impact on the individuals living in such countries. Therefore, it is important to do research on the topic and examine the influence of bureaucratic autonomy to better understand the situation at hand. Doing so will not only provide a more comprehensive understanding of the situation, but it can also lay a foundation upon which solutions can be built. Regarding its scientific relevance, this research provides a new angle to the problem of democratic backsliding. By studying this relationship that has previously been largely ignored, it will provide new insights into the mechanisms at play during the erosion of democracy. Moreover, strategies to defend democratic organisations can be identified through this research. All in all, by noticing and listening to the warning signs of democratic erosion, we can strive to safeguard the principles of democracy and prevent its demise. In an effort to combine the topics of democratic backsliding and bureaucratic autonomy during the Trump administration, the following research question has been established: How did bureaucratic autonomy influence the occurrence of democratic backsliding in the United States under the Trump administration? By analysing these dynamics, this paper hopes to gain a better understanding of the challenges facing American democracy and the importance of safeguarding bureaucratic autonomy in protecting democratic principles.

The first chapter has introduced the topic and context of the study. The second chapter will review the existing literature on the topic. It will focus on what has been written before and identify a gap in the literature. A theoretical framework will then also be crafted and used for the remainder of the research project. In chapter three, the methodological choices will be explained and justified. Chapter four will give a short overview of the general policies that Trump employed during his term as president. More specifically, it will focus on his attitude towards the public service and steps that he took that affected the civil service. Chapter five will cover the analysis. The results will be presented and discussed, ultimately answering the

hypothesis and research question. Finally, chapter six will tie everything together with some concluding remarks.

Literature Review and Theoretical Framework

Bureaucratic Autonomy

Traditionally there might have been a conception that bureaucrats merely implement the decisions that were made by elected officials. However, nowadays, this is mostly considered an outdated and flawed belief. While bureaucrats are indeed mainly responsible for implementing policies created by politicians, they also develop their own preferences and ideas over time. Depending on the level of authority within the bureaucracy, bureaucrats might be able to act based upon these ideas. Hence, bureaucrats can and should be considered strategic actors (Bach, 2021, pp. 9-10). This is where many experts draw upon the concept of bureaucratic autonomy. Literature on the topic is abundant, with authors discussing the exact definition of the concept or how to measure it. Bureaucratic autonomy refers to the extent to which bureaucrats have independent power to implement policies that are produced by elected politicians. Additionally, it is important to consider to what degree they have authority to construct, shape and implement policies on the basis of their own ideas and preferences (Bersch & Fukuyama, 2023, p. 214; Bednar, 2023, p. 10). As discussed by Bauer and Ege (2016, p. 1020), bureaucratic autonomy is interrelated with the concept of bureaucratic influence. Put simply, a high level of bureaucratic autonomy can thus enable bureaucrats to alter and guide the decision-making process.

Throughout the course of history, it has always proved challenging to find a balance between granting bureaucracies autonomy and maintaining political control over them (Bersch & Fukuyama, 2023, p. 214). When studying bureaucratic autonomy, it is thus crucial to consider the relationship between the bureaucracy on the one hand and elected officials on the other hand. Research, as well as discussions and disagreement, on this topic are plentiful in the academic field. The relationship between the two parties can be studied from various angles, of which some are more positive than others. Principal-agent theory is a well-known

and popular theory that is utilised by many to study the relationship between bureaucrats and politicians. Elected officials (politicians) are considered the principal, while bureaucrats play the role of agent. It is usually assumed that the principal and agent have different interests which can cause conflict. Moreover, the information asymmetry between the principal and agent is seen as a potential obstacle because it is assumed that the agent will gatekeep (some) knowledge from the principal. Trust between the two is thus low, which leads to more control over the agent (Waterman & Meier, 1998; Jankauskas, 2022). The relationship between politicians and bureaucrats can also be considered from a more optimistic angle however. Jankauskas (2022) utilises stewardship theory to analyse the connection between the two. Here, the agent is called a “steward” who shares the principal’s interests and acts accordingly to these interests. While an information asymmetry still exists, it does not cause any issues because the steward will share information and knowledge with the principal upon request. Since principal and steward share the same goals and information asymmetry is low, trust in each other is high. This heightened trust means that control over the steward will be lower. The steward will thus be better able to perform its job (Jankauskas, 2022, pp. 569-570).

After establishing the definition of bureaucratic autonomy, it is also crucial to know how to measure it. Again, debates in the field are common on how to do this in an appropriately. Bersch and Fukuyama (2023) have established a framework of five mechanisms that politicians use to control the behaviour of bureaucrats. It is the interplay of these mechanisms that leads to bureaucratic autonomy or lack thereof. Firstly, the discretionary power of the bureaucracy might be limited by politicians through regulations. Second, bureaucratic power can be restricted through an ex post review. Third, it is important to consider the politicians’ power to appoint and promote officials. This leads to the fourth point which is the power to remove officials. Lastly, ad hoc interventions into the bureaucratic decision-making process. While many other authors argue that the budgetary power should be

taken into account, Bersch and Fukuyama claim that these five mechanisms came into existence because of budgets. Therefore, it is argued that the budget is already taken into account indirectly (Bersch & Fukuyama, 2023, pp. 214-215). Verhoest et al. (2004) created a distinction between different forms of organisational autonomy consisting of managerial autonomy, policy autonomy, structural, financial, legal and interventional autonomy. Moreover, they argued that having decision-making competencies does not make an agency immune to external control. Therefore, it is crucial to examine the constraints faced by agencies. It is namely through these constraints that the government is still able to alter the agency's decisions. One important restriction to consider is the funding of an organisation (Bauer & Ege, 2016, p. 1029; Verhoest et al., 2004, p. 106). While multiple streams of funding make an agency more autonomous, depending solely on one donor can damage the independence of an organisation. When an agency receives all funds from the government, it is likely that the agency is eminently controlled by the government. Another important factor to consider is structural autonomy; in how far is the organisation protected from governmental control through hierarchical mechanisms. Here, one should also pay attention to the appointment of the head of the agency. When the head of an agency is directly accountable to the government, autonomy might decrease. Needless to say, the same goes for the appointment and accountability of other members within the bureaucracy. Furthermore, it is crucial to examine the legal autonomy of an agency. Some agencies have no legal powers, meaning that their decision-making competencies can be taken away from them by the government. Agencies that do have legal status, however, are much more powerful in a sense that it is extremely difficult for the government to revoke those powers. Agencies with legal powers also tend to have a large network and relationships with stakeholders. This, again, protects them and makes it more difficult for the government to intervene or revoke the agency's power. Lastly, 'ex post' controls can limit the autonomy of an agency. Ex post

controls usually come in the form of evaluations and in some cases are followed up by sanctions. In heavily controlled bureaucracies, the evaluations check if the rules and norms of the government were followed. If the government then decides that the agency's behaviour was not up to standard, sanctions and interventions may follow, eventually lowering the bureaucracy's autonomy. Even the sheer knowledge of this mechanism might make agencies less autonomous because they are aware of the consequences and therefore will not use their decision-making power to the full extent (Verhoest et al., 2004, pp. 104-106).

It is important to distinguish between two different forms of autonomy: formal autonomy and de facto autonomy. Formal autonomy refers to the independence that an organisation was granted during its creation. This type of autonomy is usually stipulated in the constitutions of organisations. Formal autonomy is a significant factor to consider because it uncovers the objectives of the individuals that designed the organisation. It reveals how willing these individuals were to grant independence towards the institution. On the other hand, de facto autonomy is the autonomy that the organisation actually possesses. This type of autonomy is equally important to consider because it displays the independence an organisation enjoys in practice (Lall, 2017, p. 253; Maggetti, 2007, p. 272). De facto autonomy can be measured by the power an organisation has to develop their own preferences. When preferences are (partially) shaped by external actors, de facto independence decreases. Another factor to measure de facto autonomy is the organisation's capacity to steer the direction of regulation. This includes altering regulatory documents, but also being able to make independent choices (Maggetti, 2007, p. 278). Verhoest et al. (2004, pp. 104-106) also distinguish between two forms of autonomy, albeit in a slightly different way. Firstly, they argue, it is important to consider how much independence an agency possesses in the decision-making process. Independence, here, refers to the power of the agency to decide which matters are important. Moreover, it concerns the organisational power they have to

make individual decisions related to these issues. The question is thus if they have the capability to influence decision-making. In many traditional bureaucracies, the answer is usually no. In these organisations, bureaucrats are controlled by external actors. Many so-called 'ex ante' controls are put in place to maintain order and ensure that the goals of the organisation are met. These controls are often written down in constitutions, mandates or regulations. Additionally, the behaviour of bureaucrats is monitored to ensure that they comply with the rules. Putting limits on monitoring the organisation and decreasing the amount of rules can thus make an agency increasingly more autonomous.

Democratic Backsliding

Democratic backsliding has become increasingly common practice with many democratic countries turning down a road of autocratisation. The concept of democratic backsliding has therefore come to the attention of many experts and academics alike. Yet, discussions on the exact definition of the term are common. Democracies can erode due to various reasons, such as military coups or revolutions. During a (military) coup, a country makes an almost immediate switch from democracy to autocracy. In these cases democracy has indeed eroded, however it is not what the concept of democratic backsliding refers to. Instead, democratic backsliding refers to a process where a democracy gradually erodes and eventually turns into an autocracy (Cianetti et al., 2018, p. 245). This point is affirmed by Bauer and Becker (2020, p. 20) who argue that democratic backsliding refers to the more intricate and clandestine ways in which an incumbent government undermines its democracy. A government can do this via different means, such as interfering with elections or censoring media outlets. According to Bermeo (2016, p. 5), democratic backsliding refers to the weakening or outright eradication of the political institutions that preserve an established democracy. What sets democratic backsliding apart from other forms of autocratisation is that it is caused by democratically elected politicians. These politicians came to power through

democratic procedures yet they aim to eliminate those same democratic structures when elected (Yesilkagit et al., 2024, p. 2).

Democratic backsliding is almost always accompanied by the reduction of political pluralism. In fact, many authors simply argue that that is exactly what democratic backsliding entails. The discussion of reducing political pluralism should be tied to populism. Populists can be characterised by their desire to reduce political pluralism. Therefore, when populist leaders come to power, they often seek to implement change within the public administration since those organisations are pluralist in nature. Political pluralism is crucial for democracies because it ensures that a range of ideas, norms and interests are represented. In turn, the government can be more responsive to its citizens. The elimination of political pluralism therefore will lead to a gradual erosion of democracy (Oleart & Theuns, 2023, pp. 883-884). Populism certainly does not always lead to democratic backsliding and one might even argue that populist leaders can help democracy in certain ways. However, while this might be the case for authoritarian regimes, populism is generally considered a threat to liberal democracies (Bauer & Becker, 2020, pp. 19-20). Neutrality can be considered the culprit of liberal democracies. The principle of neutrality refers to the fact that the government is detached from the differing beliefs, opinions and norms that are held by citizens in society. Everyone is thus able to follow any ideology freely, but this also means that an illiberal citizen might come to power (Yesilkagit et al., 2024).

Bureaucracies are well-established organisations and therefore it is nearly impossible for populist leaders to simply start a new bureaucracy. Not every populist leader has the exact same ideas on (the use of) bureaucracies and therefore they might have differing approaches in dealing with the bureaucracy when they come to power. Some populists actually see the bureaucracy as necessary and useful; they are able to utilise them to further their own ideas. In these cases, they will try to slowly capture its institutions. Yet this will only be possible if the

bureaucracy is fragile. When a bureaucracy is strong and autonomous, capture will be extremely hard. Other populists might see the bureaucracy as an obstacle and intend to break it down completely. Again, that would only be possible when the underlying structures are weak (Bauer & Becker, 2020, p. 22). While not all populist leaders might have the same plan, they will certainly all implement reform after being elected. It is normal procedure for any newly elected government to initiate reform within the already established bureaucracy. The reasoning behind this is to create a more efficient and effective government, but above all to ensure that civil servants will conform to the ideas of the newly elected government. Populist politicians are certainly not an exception when it comes to implementing reform in the bureaucracy. What makes these reforms stand out however is the consequences that they have (Bauer & Becker, 2020, pp. 21-22). Populist politicians differ from other politicians in a sense that they usually aim to change the deeper underlying mechanisms and values that the bureaucracy is built upon. Additionally, they also often have a desire to politically control the courts. These two factors taken together are able to severely undermine the autonomy of both the bureaucracy and the courts and damage democracy overall (Yesilkagit et al., 2024, pp. 3-4).

Democratic backsliding can take several forms and three ways of backsliding are on the rise. The first common way of backsliding is through so-called promissory coups. Since it is a variety of coups, the government will first be removed from power. The coup-makers will subsequently make a promise to hold elections and restore democracy, however this is usually an empty promise. While new elections might take place, they usually favour the coup-makers and elections are neither free nor fair. Executive aggrandisement is another common way of backsliding. This happens when newly elected officials slowly start to implement changes that damage the democratic checks and balances prevalent in a country. In fact, as soon as they gain power in the legal institutions, these changes can be implemented legally and therefore

hold a lot of power. Lastly, they might manipulate elections strategically. Rather than direct voting fraud, elected officials might take various steps to create disorder in the time leading up to the elections. Actions could range from hindering voters from registering to ensuring that other candidates are kept off the ballot. While it clearly falls under manipulation, not many are likely to notice and therefore it is a subtle way of backsliding (Bermeo, 2016, p. 8-13).

Democratic Backsliding in the US During the Trump Administration

Many experts have argued that the US has been democratically in decline for years. While many people consider Trump's administration to be the culprit of this, others argue that the undermining of democracy has been going on for decades. Nonetheless, what is for certain is that Trump certainly added fuel to the fire (Moynihan, 2022, p. 38). American society has always been polarised but the intensity of polarisation has fluctuated throughout history. Over the last few decades however, polarisation has increased again. There are large divides in the US based on multiple factors, such as wealth, race, politics, religion and so on. This was the ideal foundation for Trump to build upon and run for president. He focused his speeches around issues that divide Americans and his rhetoric caught on with a specific group of people. In other words, he exploited the divisions in the US to gain support. Trump became especially popular in poor rural areas with uneducated white men. It is worth noting that many other populist leaders in various countries were elected by large majority. Compared to these populist leaders, Trump actually faced relatively less support and also had a larger opposition. While he did win the Electoral College, he lost the popular vote to Hillary Clinton. However, what makes Trump an interesting and unique case is that his supporters are extremely dedicated and loyal to him which subsequently provides him with a lot of power. Even so, Trump is restricted in what he can achieve in various ways. Even when republicans have the

majority, Congress does not simply approve of every decision or plan made by Trump. Furthermore, the US is a two-party system so Trump will always face opposition from the Democrats. His power lies mainly with the Congressional Republicans, over which he influenced a lot of power (Kaufman & Haggard, 2018, p. 425).

Trump did several things during his term that led to democratic backsliding, such as creating large divides within society, constantly attacking the media, manipulation of elections, challenging the courts and so forth (Kaufman & Haggard, 2018, p. 417). The actions that Trump took to undermine democracy can be roughly divided into three categories: delegitimization, deconstruction and political control. Delegitimization happens when one undermines or questions the legitimacy of something or someone. In politics, this often happens when politicians question the validity of the state, i.e. the legitimacy of public officials. While this type of rhetoric has been common among US presidents, Trump is especially well-known for it. While these delegitimization efforts might seem harmless, they can have damaging effects for civil servants. For instance, it might negatively influence public ideas about the bureaucracy. It can also make working as a civil servant more difficult and less appealing since various officials have been publicly attacked for their actions (Moynihan, 2022, pp. 38-39). Deconstruction is another technique that is often used in various ways, such as undermining bureaucratic autonomy or using private companies to deliver public services. Even though the population and resources of the US have grown over recent decades, the administrative capacity has stayed almost the same. Trump, during his term, specifically focused on putting limits on certain agencies in terms of staff and resources. He mainly targeted agencies that did not align with his ideology, such as the Environmental Protection Agency (EPA). Many people working within these agencies were fired and only some were replaced with people that Trump personally appointed. At the same time, he hired more people in agencies that focus on topics such as defence and security, as that is where his

priority lied. Additionally, deconstruction was also put into practice through limiting autonomy of civil servants and agencies (Moynihan, 2022, pp. 40-42). Lastly, there is the practice of political control. The US has a system of political appointees, meaning that many high ranking government officials are politically appointed by the president. This system enables political control and subsequently gives the president more power. Furthermore, there has been a trend of centralising power in the US. That is, the president gets increasingly more powerful while the power of agencies and bureaucrats becomes limited. Again, Trump is guilty of continuing this trend by appointing people to power who purposefully ignore scientific evidence. Political control is additionally exercised through ensuring loyalty of career officials. Trump was primarily concerned with the loyalty of political officials to him, rather than them being loyal to the constitution. When he deemed someone to be disloyal, he either fired them or placed them in an unattractive job position or location. Trump targeted both career officials and his own appointees with loyalty tests. Thus, during the Trump administration, loyalty was often seen as more important than merit. All of these factors taken together significantly damaged the autonomy of agencies (Moynihan, 2022, pp. 42-44).

A Model of Bureaucratic Autonomy and Democratic Backsliding

After reviewing the literature on the concepts of bureaucratic autonomy and democratic backsliding, it becomes clear that both concepts are complex yet important to discuss, especially in today's political environment. It is also evident that plenty of research exists that covers (the definitions of) these terms. However, research that links the two concepts to each other seems to be almost non-existent. There is thus a gap in the literature that this research intends to fill. With an increasing number of countries turning away from democracy, it is essential to not just understand the definition of democratic backsliding but also to delve deeper into the reasoning behind it. In other words, it is crucial to understand what causes democratic erosion. As research has shown, bureaucracies are powerful entities

and therefore should not be underestimated in their ability to influence the state of democracy within a country.

The relationship between bureaucratic autonomy and democratic backsliding might not be immediately clear, yet it is a very important connection to consider. With the rise of populist leaders, attacks on the public sector have become more common and present a danger to democracy. It is pivotal that bureaucrats working within governmental agencies have enough freedom to do their job independently. Bureaucratic autonomy is of the utmost importance in order for a democracy to function properly and to serve the public interest. In an ideal world, bureaucracies should thus have the exact right amount of independence. Giving agencies too much autonomy can namely make them too powerful. However, giving them not enough power will result in inefficiency but above all it makes it easier to politically control them, eventually leading to democratic backsliding. Moreover, the bureaucracy can act as a bulwark against authoritarianism because civil servants are trained to uphold and enact the law and to be impartial. Thus, bureaucrats are able to defend the public sector while also exposing the violations made against democracy (Moynihan, 2022, pp. 37-38). It is noteworthy however that civil servants might behave differently from one another when faced with pressure from populist governments. Some bureaucrats might decide to quit their job and leave the public sector altogether, while those who stay can have various reactions as well. For instance, it is possible that they try to resist the new government or actually adhere to the new rules implemented by the elected government. This makes for an interesting case since civil servants are expected to be neutral, impartial and implement the decisions made by elected officials. Yet, in these circumstances they are forced to let go of some of those core principles (Yesilkagit et al., 2024, p. 4).

The importance of the connection between bureaucratic autonomy and democratic backsliding becomes especially clear when a populist leader is elected. This is where the

model draws on the concept of populism. Therefore, it is crucial to first establish the definition of populism that has been used for this paper. Populism is a concept that is very contested and people have continuously failed to agree with one another on what it actually entails. This issue is amplified by the fact that the connotation of populism also varies between different global regions. This is caused by the fact that populists in one global area often express themselves differently from populist leaders in other areas. To give an example, European populist leaders are usually associated with anti-immigration policies and are assumed to be aligned with far-right wing parties. On the other hand, in Latin America, populist leaders are often left wing politicians that tend to speak directly to the working class and advocate for a redistribution of wealth. Meanwhile in East Asia, populist leaders are usually nationalistic and promote the traditional values of their countries. Similar arguments could be made for nearly every global region. Needless to say, these are general trends and there are certainly deviations, such as left-wing European populists. However, the fact that the connotation of populism can vary across regions illustrates the complexity of the term. To add another dimension of intricacy, populist leaders rarely call themselves populists. Rather, it is a term that is often assigned to them by others. In most cases, being called a populist does not have a positive connotation. The question then is what is it exactly that populism refers to? The concept of populism consists of a few layers. Firstly, populism usually refers to an idea where “the people” are juxtaposed against “the elite.” Moreover, populists usually express some form of critique against the current establishment and the elite while they simultaneously show their respect and admiration for regular citizens. They argue that it is crucial that the general will of the people will be followed. Populism can be seen as a “thin-centred ideology” (Mudde & Rovira Kaltwasser, 2017, pp. 2-6). Importantly, as discussed previously, populists have a desire to reduce political pluralism. Political pluralism means that many political parties and ideas can coexist to represent a diverse society. Needless to say, this

is extremely important for any democratic system. Yet, populists aim to reduce it in order to become more powerful and create divisions within society. Public administrations are thus often targeted since these organisations are pluralist in nature (Oleart & Theuns, 2023, pp. 883-884). There are various strategies to target bureaucracies, such as appointing politically affiliated individuals to important positions within the bureaucracy or taking back decision-making competencies. The result is the erosion of checks and balances, which eventually leads to democratic backsliding.

After reviewing the literature on bureaucratic autonomy and democratic backsliding it thus becomes clear that bureaucratic autonomy can have some influence on democratic erosion. Based on the literature, it thus seems likely that low levels of bureaucratic autonomy increase the chance that the bureaucracy will be politically controlled. This, in turn, erodes the democratic principles and institutions of a state. Conversely, a bureaucracy with high levels of autonomy will be less vulnerable to political interference and can present itself as a bulwark against populist leaders and subsequently protect democracy. These ideas lead to the following hypothesis: “The likelihood that a populist party will gain control over the organisation decreases as the autonomy of a public organisation increases.”

Methodology

Research Method and Case Selection

In order to ultimately answer the hypothesis and research question, a comparative case study has been performed. Case studies can be extremely useful for conducting in-depth research on a specific topic. Within case studies, the phenomenon or event that is being studied will not be manipulated but will rather be studied in its real-life context. This type of research can be utilised for several reasons, such as explaining or describing issues and events. It is also possible to perform multiple case studies and compare them with one another, which is referred to as a comparative case study method. Generally, these cases have both shared and differing aspects. The comparative case study method is therefore helpful in understanding the similarities and variations between the cases, but also to explain these differences (Crowe et al., 2011, pp. 1-4).

To do this research, it was pivotal to pick two different US agencies with seemingly different levels of independence. In this case, one federal agency and one department have been used. Federal agencies tend to be smaller in size, further removed from the political centre and have a narrow focus. Departments, on the other hand, cover a wide range of programs and are closer to the political centre. Therefore, it can be assumed that federal agencies are more autonomous and flexible. It is important to remember, however, that both agencies and departments ultimately have to report back to the president. It is generally considered normal procedure for the president and Congress to collectively create new administrative agencies, but that does not mean that the president is unable to act unilaterally. In fact, presidents can unilaterally build agencies if they cannot persuade Congress to do so. Over the course of history this has happened numerous times. These agencies are usually designed in a way that makes it easy for the president to control them. Research has shown that presidential control is much stronger over agencies created through executive decision

than agencies developed through legislation. Additionally, delegates of the president are also able to create new agencies. These agencies are often also created with the ideas and concerns of the president in mind (Howell & Lewis, 2002, pp. 1096-1097). Agencies that are cooperatively created between Congress and president tend to be stronger, bigger, longer lasting and have more resources. For the president, however, executively created agencies can be beneficial because they can exercise more control over these agencies. These agencies are usually placed in nearby sections of the federal bureaucracy to maximise control over them. Moreover, executively created agencies tend to have fewer restrictions on the appointment of employees (Howell & Lewis, 2002, p. 1099).

Selection of Federal Agency and Department

For this research, one federal agency and one department has been selected. The Environmental Protection Agency (EPA) has been selected as the case for federal agencies and the Department of Justice (DOJ) as a case for the departments. The EPA strives to protect the environment and human health. This is done by developing and enforcing regulations, and doing research on relevant topics. The organisation primarily deals with topics such as air, land and water quality, the use of pesticides, cleaning up contaminated sites and so on (United States Environmental Protection Agency, n.d.). The DOJ is responsible for ensuring public safety, upholding the rule of law and protecting civil rights. As a department they focus on a wide array of topics including human trafficking, cybersecurity, gun violence and terrorism (US Department of Justice, n.d.). The EPA and DOJ were selected because both are influential agencies. More importantly, both agencies were often challenged during the Trump administration and therefore make an interesting case for this particular research. The agencies both dealt with attempts of political interference. Moreover, they were often criticised for their work. Comparing the two agencies, with their respective levels of

bureaucratic autonomy, can provide a better understanding of how bureaucratic autonomy influences the occurrence of democratic backsliding in the US during the Trump administration. This research can thus also shed light on the importance for governmental institutions to have a certain degree of autonomy and integrity.

As discussed by Howell & Lewis (2002), it is important to also consider the different characteristics of agencies. Agencies can come into being in various ways and vary in terms of resources, life span and political control. The EPA actually was created through an executive order by president Richard Nixon in 1970, yet the agency was rapidly authorised by Congress. Nixon also ensured that the EPA was an independent agency that did not fall under any other governmental department in order to protect the agency from political pressure (United States Environmental Protection Agency, n.d.). Thus even though the agency was created through executive order, Nixon had no intention to use the agency for political goals. Therefore, the EPA is an ideal case for researching an autonomous agency. The DOJ was created a century before the EPA in 1870 through legislative order. A congressman introduced a bill to create the DOJ, which was signed by the president at the time. Since the DOJ was legislatively created it should have a degree of independence yet departments play a crucial role in US politics and therefore deal with political control as well. The DOJ therefore proves to be an interesting case for this research (US Department of Justice, n.d.).

Data Collection and Analysis

To examine the research topic, this study has used qualitative data in the form of government reports and documents. This includes, but was not limited to, official statements, policy documents, and reports that come directly from the EPA, DOJ or any other relevant governmental body. As discussed by Snape (2019, pp. 685-686), official documents are extremely useful sources for research because they explicitly mention the (contemporary) interests and ideas of a government or organisation. In addition, news articles from reputable

media outlets have also been utilised for this study. News articles are useful because they are up-to-date and report on almost all actions and decisions taken. These articles are also easy to navigate regarding the sequence of events, which has proven to be important for this research. Unfortunately there has been no use of interviews with experts or officials due to time and resource constraints. However, this presents an interesting opportunity for future research.

To analyse the data, the qualitative research method of process tracing has been utilised. To use process tracing, one has to analyse and interpret data and evidence in order to be able to explain political or social events. In other words, evidence from specific events will be utilised to make inferences about why a situation happened the way it did. Process tracing specifically focuses on the way in which events unfold over time. It is thus crucial to understand the situation during various points in time. Without doing so, one cannot fully understand why things unfolded the way they did. For process tracing, sequence is of the utmost importance; it is crucial to consider what steps led to the outcome and when. Only through following the exact path can researchers understand the factors that led to the final result (Collier, 2011, pp. 823-824). Process tracing puts a lot of emphasis on causal mechanisms, i.e. the processes through which an outcome was conceived. This is because the relationship between multiple events usually lead to a certain outcome. These events, with their sequence, are crucial to study within process tracing. A sequence of events is always connected through one or more causal mechanism(s). These causal mechanisms are not self-evident and therefore should be identified in research. This might prove to be challenging since causal mechanisms cannot be directly observed. As a result, these mechanisms will have to be established through reading existing literature in the field. Within scholarship, causal connections have often already been established. Process tracing is not unique in this respect; single-case studies almost always have to rely on information that is already out there. ‘Prior research establishes what the possible building blocks of causal explanations are and how they

can be linked together, and process tracing uses and combines these building blocks to account for individual cases and events” (Toshkov, 2016, pp. 297-299). Process tracing is broad in a sense that it can focus on different levels of analysis, such as analysing people, organisations or states. Moreover, it is possible to use various data collection procedures, such as analysing documents, using interviews and so forth. Process tracing is very useful to analyse the motives, ideas and preferences of actors. While interviews are of course useful for that, written sources can also provide plenty of evidence. Reading these sources while simultaneously analysing the context of the situation can provide answers that explain the outcome of a situation. Depending on the research, evidence of every small detail can be analysed or there can be a focus on the broader trends that led to an outcome. This is up to the researcher to decide (Toshkov, 2016, pp. 299-300). This research will be a pre-post study. The process tracing will focus on three points in time. The two agencies will be analysed before Trump got elected; when Trump was president; and the period after Trump. This way, it will be clear if there were any changes at all and if so, what exactly happened.

Operationalisation

In order to answer the research question, the concept of bureaucratic autonomy has been operationalised. That is, the abstract concept had to be turned into a measurable entity. To measure bureaucratic autonomy, this paper will build upon the frameworks presented by Bersch and Fukuyama (2023) and Verhoest et al. (2004). These two frameworks share similar aspects, but also vary in multiple ways. To measure bureaucratic autonomy in a holistic and comprehensive way, the frameworks have been combined. According to Bersch and Fukuyama (2023), bureaucratic autonomy (or the absence thereof) is a result of the interaction between five mechanisms. These are: 1. ex-ante controls; 2. ex post review; 3. the power to appoint and promote individuals; 4. the power to remove individuals; and 5. ad hoc interventions by political authorities into bureaucratic decision-making. Verhoest et al. (2004)

uses six dimensions to measure autonomy within an organisation: managerial autonomy, policy autonomy, structural, financial, legal and interventional autonomy.

This research will first measure managerial autonomy; the power to appoint, promote and remove individuals. There will be multiple layers when measuring managerial autonomy. Firstly, the appointment of the head of agency will be considered. It is important to question by whom the head of agency was appointed, e.g. by the president, board of directors or another body. Additionally, it is crucial to consider if the head of agency was appointed based on political affiliation or merit. In other words, it is imperative to examine if there is a system of political patronage where individuals are appointed on the basis of their loyalty to political superiors or if it is a merit-based system where people are selected on the basis of their knowledge, skills and experience. Secondly, the analysis will then focus on the appointment of the rest of the staff. Here, again, it is important to consider who appointed them and if they are qualified for the job. When analysing the appointment of the head of agency and rest of the staff, it should be considered if they have the same vision as the agency or if they are hostile towards the organisation's mission. It is important that the appointment of the head of agency and the rest of the staff are separately considered. The head of agency tends to be powerful and can decide the direction and priorities of the agency. At the same time, without the rest of the staff, the organisation would not be running. By analysing both factors, this research will be able to gain a holistic understanding of the agency's managerial autonomy. Most authors writing on the topic of bureaucratic autonomy focus on the appointment of staff, but the power to remove officials is often ignored. However, this paper will also look at the firing of staff. Lastly, in the category of managerial autonomy, there will be attention for the accomplishments and controversies during the term of each head of agency. This will give insight into how effective the organisation was run and will provide a more comprehensive understanding of their leadership style and level of autonomy present within the organisation.

After managerial autonomy, the research will analyse the legal autonomy of both agencies. Legal autonomy refers to the legal character of an agency. Some agencies have some form of legal protection that makes it nearly impossible for the government to interfere. Agencies without legal protection, however, tend to be vulnerable since the government can take back their decision-making competencies at any minute.

Table 1

Operationalisation of variables

Variable	Description	Indicator
Managerial autonomy	When agencies have decision-making competencies regarding their staff	<ol style="list-style-type: none"> 1. Appointment head of agency 2. Hiring & firing rest of the staff 3. Accomplishments and controversies during time in power
Legal autonomy	The legal character of an agency	<ol style="list-style-type: none"> 1. Legal protection of an agency

Validity

It is important to consider that this research only focuses on managerial and legal autonomy due to time and resource constraints. The other dimensions presented by Verhoest et al. (2004) are also insightful, however managerial and legal autonomy were selected due to their relevance for this particular research. Managerial autonomy is extremely important for understanding the decisions made by the agency, which can in turn influence democratic backsliding. Legal autonomy is important to consider because it can protect an agency from political pressure. These two factors play key roles and are potentially able to either hinder or accelerate democratic backsliding.

Moreover, while this research focuses on the specific context of the US under the Trump administration, the results can certainly have wider implications beyond this context.

Bureaucratic autonomy, and its influence on democracy, is not something exclusive to the US and is crucial for all democratic countries to consider. Since this research focuses on a specific and narrow topic, one could argue that there is a limitation regarding generalisability.

However, this research could be replicated in the context of other countries. More research is thus needed to see if these results are generalisable to other countries who deal with similar challenges.

Trump's Approach to Governance

This chapter will describe the more general policies of president Trump during his term. The chapter will specifically focus on his attitude towards the public service, specific actions he took that affected the public administration and his approach to governance. While this section does not specifically focus on the EPA and DOJ, it will discuss some relevant broader trends during the Trump administration. The aim of this chapter is to provide context to better understand the research and analysis in chapter five.

While the US already showed signs of democratic backsliding before Trump was elected as president, Trump certainly accelerated the process. Many presidents in the past have tried to increase their political control over certain parts of the government. In general, the organisations that were usually targeted were the ones that ideologically collided with the president's own ideas and preferences. Trump, however, decided to take this one step further by blocking many experts and scientists from playing an active and important role in the public service. Rather than listening to their expertly informed advice, Trump decided to appoint individuals that were not qualified for their positions. Not only did these appointees not have the knowledge that was needed for their new jobs, but they were also often critical of the very agencies that they had to lead. In some cases, they even could be described as being hostile to the mission of their agencies (Moynihan, 2021, p. 151). This is where the US under Trump deviated from most other democracies where meritocratic principles are valued and seen as extremely important. Meritocracy is a social structure in which a person's abilities, merit and diligence result in employment, wealth and authority. A meritocratic system is thus competitive; any talented, driven, motivated individual should be able to succeed. Adversely, within a non-meritocratic system, individuals are able to obtain a job, wealth and power due to their connections, background or affluence (Suzuki & Hur, 2022, pp. 1227-1229). Trump

hired many people without considering their skills and knowledge, but rather because they shared his political views.

Trump did not stop at merely sidelining bureaucrats but also took other actions. It has not been uncommon for republican leaders over the last few decades to be sceptical of the public service. This trend clearly continued during Trump's presidency, yet he took it even further by simply invalidating the public administration. In a specific type of discourse that he often utilised, Trump created divisions between groups of people and plotted them against each other. More specifically, he claimed that a certain group of people (read: civil servants) were evil and were the root of many problems. Trump regularly referred to the public service as a "deep state" or "swamp" which only he would be able to fix (Moynihan, 2021, pp. 151-153). The concept of deep state refers to a sort of conspiracy which believes that unelected and influential bureaucrats aim to pursue their own agenda (Michaels, 2017, p. 52). In a way, that ideology is consistent with the principal-agent theory that is often used in political science. According to Michaels (2017), the term "deep state" was previously used in developing countries where it was common for elites to counter democratic efforts. In the US, however, using such a concept does not make sense as the US generally has a transparent and equal system. All in all, Trump's rhetoric about civil servants was actually quite damaging. Not only does it undermine the autonomy, power and reputation of the bureaucracy, but it also makes it increasingly difficult to recruit future bureaucrats. His discourse might have given people a negative perception of the bureaucracy which in turn made the idea of working as a civil servant less appealing. It might have also led people to question the job security of such a position. Many people might not want to deal with the criticism and even outright aggression that many civil servants faced during Trump's administration.

There were some other actions that Trump took during his presidency, such as reducing employee protections which made it easier to fire employees, but harder for

employees to appeal against such decisions. Trump also regularly showed his hostility against public unions and made efforts to make them less relevant and powerful. A particularly impactful event was Trump's 'Executive Order on Creating Schedule F in the Excepted Service.' With Schedule F, employees working within governmental agencies were at risk of losing their job protections. Moreover, when employees were placed into the category, it would be much easier to fire them. All of this concerned tens of thousands of employees which means that this would have been the largest change ever made to the US civil service system (Moynihan, 2021, pp. 158-159; Moynihan, 2022, p. 174).

Trump, during his term, has also used several strategies of political control. Political control is something that many presidents use, often in the form of controlling bureaucratic staff and centralisation of policymaking. Most presidents aim to at least partially control the bureaucratic staff. This can include tightening the control over the staff that is already there, but also appointing political affiliated individuals to high ranking positions. When it comes to the centralisation of policymaking, an increasing amount of policymaking power has shifted away from federal agencies towards the White House over the years. This continued under Trump, however Trump differentiated himself from other presidents by his selection of members of the White House. Next to his political appointees with little to no experience, his family also played a key role during his presidency (Moynihan, 2021, pp. 155-158). It is no secret that various US presidents throughout history have used nepotism. In these cases, family members were often appointed to positions, such as ambassadors or advisors. Trump appointed multiple family members to high ranking positions, even though they had no experience in the field of government and policymaking. Many people have criticised Trump's nepotism, especially when his family members took on important roles in the foreign policy arena. For instance, Donald Trump's daughter Ivanka attended the G20 Osaka Summit with him in 2019, where she was given a key role by her father. Many foreign policy experts

questioned the appearance of Ivanka at the summit, arguing that such actions can be harmful to the US' reputation. Ned Price, who worked in national security affairs under the Obama administration, said the following: "It reflects poorly on Trump that he would place her in that context and poorly on Ivanka Trump that she lacks the self-awareness to recognise how out of her depth she is." (Smith, 2019).

Analysis and Discussion

This chapter will analyse the degree of bureaucratic autonomy within the EPA and DOJ at three different points in time. The first point of measurement is before Trump's presidency, i.e. Barack Obama's second term (2013-2017). The second point of measurement is during Trump's presidency (2017-2021). The last point of measurement is after Trump's presidency, meaning during the presidency of Joe Biden (2021-present). Measuring bureaucratic autonomy will be done with the help of the framework established in chapter three.

Managerial Autonomy in the Environmental Protection Agency

Appointment Head of Agency

When a new president rises to power, they have the authority to replace the current heads of agencies. The process of appointing a new permanent administrator within the EPA typically takes a considerable period of time. Therefore, a temporary "acting administrator" is usually appointed when the president starts his term. These administrators basically work on an interim basis by temporarily filling the spot of administrator so that the agency can continue to operate until a more permanent administrator is appointed. In this paper, only the permanent administrators will be considered. Acting administrators usually only serve for a brief duration, making it difficult to analyse their work as administrator. Additionally, acting administrators are often nominated by the previous president. To illustrate, the first acting administrator during Trump's presidency was appointed by the Obama administration. Therefore, analysing acting administrators will not be relevant for this research. Instead, this research will analyse (the appointment of) the four permanent administrators: Gina McCarthy, Scott Pruitt, Andrew Wheeler and Michael Regan.

Before Trump (During Obama). During Obama's presidency, Gina McCarthy was appointed as the EPA's administrator. She graduated with a Bachelor of Arts in Social Anthropology and a Master of Science in Environmental Health Engineering and Planning and Policy. The master degree, specifically, is very relevant for the position as administrator of an environmental agency. This degree combines environmental health with policymaking which allows her to address environmental health challenges and create policies to solve those issues. Experience wise, she had been working in the environmental field for decades before being appointed as the EPA's administrator (The White House President Barack Obama, n.d.). Additionally, McCarthy has a great track record and is often praised for her work. A couple of years after her role as administrator of the EPA, she became CEO of the Natural Resources Defense Council (NRDC). The NRDC is one of the most influential environmental advocacy organisations in the US. Yet, above all, she was appointed as the first White House national climate advisor in 2020 by Joe Biden. Due to her work and crafted recommendations, important changes were implemented to combat climate change and protect the environment (Friedman, 2022). This indicates that McCarthy is extremely capable in the field of environmental health and therefore was most likely appointed based on her knowledge, skills and experience rather than political grounds. Moreover, her vision and goals were equivalent to those of the agency and therefore there was not a conflict of interest.

Next to considering the education and experience of McCarthy, it is also crucial to look at the regulations that were implemented under her leadership. The Obama administration is notorious for its many accomplishments in the field of environmental health. One of the most important regulations created under McCarthy was the Clean Water Rule. This rule protects the streams and wetlands within the US which play a vital role for people's health and the economy. Ensuring that streams and wetlands are clean is crucial because the quality of these waters affect larger bodies of water, such as rivers and lakes (McCarthy &

Darcy, 2015). Another important event that took place during McCarthy's term as administrator is the accession to the Paris Climate Agreement. The EPA played an important role in providing advice, expertise and data so that the US could meet the necessary emissions reduction targets to join the agreement. The accession to the Paris Climate Agreement was pivotal since it is considered the largest and most significant agreement regarding climate change in the world (United States Environmental Protection Agency, n.d.). There are certainly more important regulations that were implemented under McCarthy however these two are some of the most important ones. McCarthy was merely part of one controversy during her time as administrator. She was criticised for her slow response to the Flint water crisis, where water was contaminated with lead (Shepardson, 2016).

During Trump. The first administrator that served during the Trump administration was Scott Pruitt. He obtained a Bachelor's degree in Political Science and Communications. He also received a Juris Doctor degree which enabled him to practise law (Blackford, 2016). Before becoming administrator of the EPA, Pruitt mainly obtained experience in the legal field. He was Attorney General of Oklahoma in the seven years prior to his role as administrator. As attorney general, he represented the state in legal matters, enforced state laws and provided legal advice to agencies in Oklahoma. During this role, he acquired some experience regarding environmental legal matters. For instance, he settled a dispute over water rights between various parties (United States Environmental Protection Agency, n.d.). Thus, Pruitt does not necessarily have an education in the field of environmental health. However, this is also not a hard requirement for becoming the administrator of the EPA. He still has a good education and a lot of experience in the legal field. However, his actions and policies as EPA administrator were questionable and eventually led to his resignation.

Donald Trump had a lot of animosity towards the EPA and at some point wanted to abolish the agency altogether. While those plans did not go through, many regulations that

were implemented under previous administrations were rolled back. It was therefore hardly a surprise when he appointed Pruitt to fulfil the role of administrator. Pruitt has an extensive history with the EPA, having filed 13 lawsuits against the agency prior to becoming leader of that same organisation. Ken Cook, president of the Environmental Working Group, said the following “It’s a safe assumption that Pruitt could be the most hostile EPA administrator toward clean air and safe drinking water in history.” (Mosbergen, 2017). A couple of days after Pruitt got appointed as administrator, thousands of emails and other documents revealed his close ties to the fossil fuel industry. During his career as attorney general, he maintained good relationships with oil and gas companies, republican groups that oppose climate regulations and the Koch brothers that are notorious for their fight against stricter climate policies (Milman & Rushe, 2017). On top of that, Pruitt has been given financial support by fossil fuel firms over the years. In fact, he has received roughly \$300,000 in contributions from the oil and gas industry (Milman, 2016). It is clear that Pruitt was in favour of prioritising industry interests over the health and environment of the US and its citizens.

Many were worried by the appointment of Pruitt because of his sceptical stance on climate change. As a matter of fact, in Pruitt’s previous position as attorney general, he decided to dismantle the Environmental Protection Unit immediately when he came to power (Dennis & Weigel, 2017). He has also made controversial comments regarding the climate and environment. While he does agree that the earth is warming up, he questions to what extent this phenomenon can be attributed to human activity, despite the abundance of evidence that shows the impact of human actions on the issue. Moreover, he has denied that carbon dioxide emissions have been a key driver for global warming. With statements like these, he ignores scientific evidence. Yet, above all, he is going against the words, mission and values of the agency that he leads (Milman, 2017). All in all, while Pruitt has a good education and much experience in the legal field, it does not seem like he was appointed

based on merit. His actions, ideas and preferences are completely contrary to those of the EPA. His appointment signals a huge conflict of interest. Pruitt resigned after being in charge for a little over a year due to the scandals involving his name. The scandals revolved around Pruitt using taxpayer money for his personal expenses and travel. Moreover, his spending and management of the EPA came under fire (Dennis & Eilperin, 2018).

After his resignation, Andrew Wheeler was appointed as the new administrator of the EPA under Trump. Wheeler was the EPA Deputy Administrator under Scott Pruitt. Wheeler has a Bachelor degree in English and Biology, a Juris Doctor degree and a Master in Business Administration. Moreover, Wheeler enjoyed a long career related to the field of environmental health before becoming administrator at the EPA. His career started when he secured employment at the EPA working in environmental law. After his job at the EPA, he worked in various positions on the Senate Committee on Environment and Public Works. He also worked as an assistant to Senator Inhofe. Subsequently, he became a lobbyist for coal and chemical companies before becoming (deputy) administrator at the EPA. Wheeler has thus had an impressive career in the field of environmental health before becoming administrator (United States Environmental Protection Agency, n.d.). While he has had a long career in the field of environmental health, Wheeler is not particularly worried about (the effects of) climate change. In fact, during his years as lobbyist for the coal industry, he often worked with individuals and companies that called global warming caused by humans a ‘hoax.’ These same business partners were also often hostile towards EPA-made regulations because it negatively affected them. For the vast part of his career, he has thus opposed efforts to enhance air and water quality and generally improve citizens’ safety and health.

Wheeler continued to deregulate and undo some regulations that were implemented under the Obama administration (Wolff, 2018). Wheeler became entangled in an ethics scandal when it came to light that he had violated an ethics pledge, which he had signed when

assuming the role of administrator. The pledge prohibited him from working on any issues that he had previously lobbied for, for a minimum of two years. Despite signing the agreement, Wheeler held several meetings with former clients. While it is difficult to assess the nature of these talks, it calls into question the credibility of Wheeler as head of the EPA (Hiar, 2018).

While both Pruitt and Wheeler were embroiled in controversies, it is also important to consider important events and accomplishments that took place during their leadership. Shortly after Pruitt became administrator, the US pulled out of the Paris Climate Accord. Trump had been wanting to withdraw the US from the accord due to the alleged unfavourable effects on the US. The president claimed that the agreement was damaging to the domestic economy. Pruitt played a vital role in convincing Trump to leave the agreement, arguing that the deal puts the US at an economic disadvantage (Bogardus & Bravender, 2022). Another important event that took place was the repeal of the Clean Power Plan that was implemented under President Obama. With this plan, there was an aim to massively reduce greenhouse gas emissions caused by the electricity sector. The plan was replaced with the Affordable Clean Energy rule that gave more power and flexibility to the individual states. This new regulation however would result in an increase of CO₂ emissions by more than 60 million short tons in roughly ten years (Baker, 2020). Some accomplishments made under Wheeler include the reduction of animal-based toxicity tests and the response to wildfires (United States Environmental Protection Agency, n.d.).

After Trump (During Biden). When Biden came to power, he nominated Michael Regan to serve as administrator. Regan has a Bachelor degree in Earth and Environmental Science and a Master's degree in Public Administration. At the beginning of his career, he worked as an environmental regulator within the EPA and subsequently became part of the Environmental Defense Fund. Before his function as administrator, he was Secretary of the

North Carolina Department of Environmental Quality. Among other things, he tried to tackle environmental discrimination and reduce private sector greenhouse gas emissions. In 2020, he got appointed as administrator by Biden and he is currently still serving in this position (United States Environmental Protection Agency, n.d.).

The EPA has accomplished several things during Regan's time as administrator. Perhaps most importantly, the US re-entered the Paris Climate Accord. The current Biden administration has very ambitious goals regarding environmental health and combating climate change. President Biden set a goal to cut greenhouse gas emissions in half by 2030. The EPA, under Regan, has worked fast and efficiently to meet these goals. For instance, there has been a focus on reducing pollution caused by the oil and gas sector. Moreover, a clean cars program has been implemented. There has also been a focus on environmental justice, which aims to ensure that every community has equal access to a clean and healthy environment (Higgins et al., 2024). There have not been any major controversies under Regan's leadership as of yet.

Appointment, Promotion and Firing of Staff

The right to appoint, promote or fire staff generally lies with the administrator. It is therefore likely that the administrator will hire individuals with a similar vision and ideas. Conversely, people might be fired for having opposing beliefs. During Obama's term, there were few extraordinary practices observed in the appointment and dismissal of staff members. That is, people were appointed on the basis of their knowledge and expertise. One thing that was noticeable during the Obama administration was the cut back of personnel. At the end of Obama's second term, there were around 15,000 employees left in the EPA. This was caused by the general budget constraints on government spending during the Obama administration where many agencies saw a reduction in the amount of employees (Friedman et al., 2017).

When Trump came to power, he aimed to massively reduce the budget and staff of various agencies including the EPA. In fact, Trump wanted to reduce the EPA's staff by roughly 20% with no concrete plan to replace this personnel later on. Under the Trump administration, the EPA saw hundreds of employees leave. These employees could roughly be divided into two categories: people who quit or retired and people that took a buyout or were fired. Many employees actually decided to leave the EPA as a form of protest against the Trump administration. At the same time, hundreds of employees took a buyout from the government. Importantly, a large part of all the employees that quit were scientists and experts on whom the EPA relies for scientific advice. Most of these employees were not replaced. With many scientists leaving, people have referred to the situation as a brain drain (Friedman et al., 2017). During Pruitt's time as administrator, he fired some members of the Scientific Advisory Board (SAB) after being in office for less than three months. Most of these members were academic scientists. As a replacement, Pruitt mainly appointed individuals from the fossil fuel industry to the board, reasoning that they were the ones that were affected by the regulations. Replacing impartial scientists with industry representatives indicates a clear conflict of interest. Industry representatives tend to aim at limiting environmental regulations as much as they can. Environmental regulations, namely, can have a large impact on these industries and could therefore negatively affect them. The appointment of these industry representatives to the SAB thus undermines the EPA's mission and autonomy to effectively reach their goals. It is of the utmost importance that agencies can remain independent and rely on scientific evidence for decision-making (Columbia Law School, n.d.). Pruitt also took other measures, months later, that reduced the role of science within the EPA. He implemented a policy that banned scientists who received research grants from the EPA to serve on the SAB and other committees because "they have a conflict of interest." Ironically, under Pruitt, individuals who received grants from the fossil fuel industry

were allowed to work in these EPA bodies. Additionally, Pruitt appointed even more industry representatives and climate change sceptics to the advisory boards. In fact, an estimated 65% of the members on the SAB were industry representatives and all members of the Clean Air Scientific Advisory Committee (CASAC) came from the fossil fuel industry. These moves hurt the credibility and autonomy of the EPA. Not only were the regular appointment procedures ignored by nominating industry representatives that dismiss scientific evidence, but the diversity within the EPA was also damaged. For instance, the CASAC was suddenly fully composed of industry representatives (Swanson, 2017). Wheeler might not have made such significant changes to the SAB and other committees, yet he also appointed some members that are notorious for their climate scepticism. Moreover, Wheeler might have had less of an urge to make changes within the committees, since they were already composed of many climate sceptics and industry representatives when he came to power.

When Regan became administrator, he (temporarily) removed all members of the SAB and some other committees. According to Regan, several procedures, such as appointing members based on political views, took place in previous years that damaged the (autonomy of the) EPA. Regan nominated new candidates who were all required to take an ethics test to confirm that they did not have a conflict of interest and that they are able to work in an impartial way. With this procedure, he aimed to restore the EPA's standard of prioritising science-based expertise (Columbia Law School, n.d.). Regan took these steps in an effort to repair scientific integrity within the EPA which he argued is the foundation of the organisation. Not everyone was happy with Regan removing every board member. John Graham, who led the SAB under Trump, argued that Regan's action disturbed the work that was being done by the board (Daly, 2021).

Managerial Autonomy in the Department of Justice

Appointment Head of Agency

Within the DOJ, the head of the department is called the US Attorney General. The attorney general is the main advisor to the president regarding all legal matters. Similar to the EPA, there will often temporarily be an ‘acting’ attorney general before someone is permanently appointed to the position. To make a fair comparison, acting attorney generals will not be considered for this research. Rather, solely the permanent attorney generals will be considered of which there were five in total during the three presidencies.

Before Trump (During Obama). Eric Holder was the first attorney general to serve under the Obama administration. He was attorney general from 2009 to 2015, meaning that he served under Obama’s first term and part of his second term as well. Holder has a good education and graduated from Columbia Law School. After graduating, he started working at the Department of Justice. Holder has held several important positions, such as Deputy Attorney General under President Bill Clinton, before becoming attorney general under Obama (US Department of Justice, n.d.). This means that Holder had both a good education and career before becoming head of the department. The DOJ also accomplished various things under the leadership of Holder. One of the main accomplishments of the DOJ under Holder was the protection of US citizens against terrorism and other violent threats; the DOJ was able to stop many terrorist plots against the US. Additionally, Holder was very vocal about defending civil rights, such as voting rights. These accomplishments are in line with the mission of the DOJ which is “to uphold the rule of law, to keep our country safe, and to protect civil rights.” (US Department of Justice, n.d.). Nonetheless, there were also various controversies surrounding Holder. His response to the 2008 financial crisis has been heavily criticised. Large banks, with their lending practices, played a large part in (causing) the

financial crisis. Yet, Holder did not prosecute these banks arguing that they were too big to prosecute (Nather, 2014). This stance can be seen as quite problematic since it undermines the autonomy of the DOJ and goes directly against their mission to impartially enforce the law. By pardoning these large banks, the autonomy of the DOJ was damaged. The DOJ is supposed to hold any organisation or person accountable and in this case that principle was broken. Another scandal tied to Holder's name was Operation Fast and Furious. Arizona's attorney office and the Arizona Field Office of the US Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) decided to give licensed firearm dealers a permit to sell their weapons to illegal buyers. The aim of this operation was to track the guns back to Mexican cartel members. The operation failed to do just that, and above all created collateral damage. For instance, not all guns were traced back and innocent civilians were killed by these weapons. The operation tainted Holder's name and he was held in contempt of Congress for failure to publicise documents dealing with the issue. All in all, the attorney general was criticised for the way he dealt with the scandal. Again, this scandal damaged the autonomy and credibility of the DOJ (Pilkington, 2014).

After Eric Holder resigned, Obama appointed Loretta Lynch as the new US attorney general. She graduated with a Bachelor of Arts from Harvard College and later obtained a Juris Doctor degree from Harvard Law School. Lynch started her career by working in a private practice for a couple of years before joining the US Attorney's Office for the Eastern District of New York. There she dealt with many cases involving violence, corruption and civil rights. In 1999, she was appointed as US Attorney by Bill Clinton. After this position, she returned to private practice for a while before she resumed her role as US Attorney in Brooklyn. Finally, in 2015, she was sworn in as Attorney General of the US (US Department of Justice, n.d.). Thus, Lynch has a good education and obtained much experience in both private and public law firms before becoming attorney general. During her time in office, she

focused on matters such as police reform and protecting minority rights. For instance, she focused on the rights of the LGBTQ+ community. Moreover, in a similar line to Holder, protecting civil rights was one of her top priorities (ABC News, 2014). However, there was also one controversy during her term that might have tainted her name. At the time, there was an investigation into Hillary Clinton's use of a private email server when she was Secretary of State. Using a private server in certain governmental positions is prohibited because these servers are vulnerable to hacking, potentially leading to sensitive information falling into the wrong hands. In this way, Clinton had mishandled information and endangered national security. During the investigation, Lynch was seen meeting Bill Clinton in her airplane. While they claimed that this was solely an amiable, informal meeting, it raised concerns about the impartiality of the case. Many people argued that this could lead to a potential bias in the final verdict. Hillary Clinton ended up not receiving any charges (Nelson, 2016). While it cannot be said for certain that the meeting between Lynch and Clinton influenced the decision to not prosecute Hillary Clinton, the encounter definitely raised suspicions of bias in the handling of the investigation. This damaged the credibility and autonomy of the DOJ raising questions if the organisation is capable of working in an independent manner without external or political pressure.

During Trump. The first attorney general that was appointed by Trump was Jeff Sessions who served in this position for roughly a year and nine months. Sessions received a Bachelor of Arts followed by a Juris Doctor degree. He started his career in a private practice of law, yet most of his career took place in the public sector. He was the US Attorney for the Southern District of Alabama for 12 years before becoming Alabama Attorney General and later entering the US Senate. Sessions served as US Senator for Alabama for 20 years before he was appointed as Attorney General of the US (US Department of Justice, n.d.). Sessions has thus clearly received a good education and had a long career in the legal field before

becoming attorney general. At the same time, it is important to note that Sessions was an early supporter of the Trump campaign. Therefore, there is a chance that Trump appointed Sessions because he saw him as loyal and politically affiliated.

During his time in office, Sessions focused primarily on a couple of topics. He fought violent crime, illegal immigration and the drug epidemic. These have been called his main accomplishments by his supporters (von Spakovsky, 2018). For similar reasons, he had many opponents that argued that Sessions had dismantled many civil rights protections. According to his opponents, he has endangered the civil rights of certain groups, such as transgender people and immigrants (ACLU, 2018). Deciding whether Sessions acted in line with the mission of the DOJ is quite difficult and also open to interpretation. While matters such as fighting violent crime and the drug epidemic align with the department's mission to enforce the law, the dismantling of civil rights for certain groups goes against the DOJ's mission to equally provide justice for everyone.

Even though Sessions had been a long-time supporter of the president, he did not always necessarily act in a way that Trump desired. For instance, Sessions made a statement to proclaim that the administration will continue to enforce the Foreign Corrupt Practices Act (FCPA). This law attempts to stop bribery and corruption in international business transactions by restricting US citizens and companies from bribing foreign officials to obtain or retain business. Trump is an opponent of the FCPA and has called it a "horrible law" in the past. The president argued that this law puts US businesses at a competitive disadvantage, potentially referring to his own business as well (Katz Banks Kumin, n.d.). This scenario illustrates that Sessions did not always blindly follow Trump's wishes.

One of the major controversies during Sessions' time in office revolved around the contact with Russian officials. At the time of Jeff Sessions' confirmation hearing, there was an ongoing investigation into contact between the Trump administration and Russia during the

Trump campaign. At his confirmation hearing, Sessions was asked if he had been in contact with Russian officials during Trump's presidential campaign. Sessions answered that he did not have any "communications with the Russians." At a later time, it was revealed that Sessions actually had met with the Russian ambassador twice in the period before the elections. Many wanted him to resign or at least recuse himself, but others argued that his answer was not misleading. The latter group claimed that his meeting with the Russian ambassador had nothing to do with the Trump campaign and was part of a larger initiative where Sessions met with many other foreign ambassadors as well (Morin et al., 2017). Sessions ended up recusing himself from the investigation to avoid bias and conflict of interest. Trump was not pleased with that decision and claimed that Sessions should have never recused himself. Instead, Trump wanted Sessions to defend him during the investigation (Al Jazeera, 2018). The whole situation can be described as a double-edged sword. On the one hand, Sessions protected the integrity and autonomy of the DOJ by recusing himself from the investigation. By recusing himself, it was ensured that the investigation would be conducted without any bias. This illustrates Sessions' commitment to upholding the rule of law. On the other hand, the situation itself could have been avoided and was damaging to the autonomy of the DOJ. By not disclosing his meetings with Russian officials, whatever they might have been about, the credibility of the DOJ was undermined. It raises questions about the transparency and independence of the organisation.

After the resignation of Sessions, Trump eventually nominated William Barr as the new attorney general. He received a Bachelor of Arts degree in Government and a Master of Arts degree in Government and Chinese studies from Columbia University. Barr later received his Juris Doctor and graduated from George Washington University Law School. After graduating, he started working as a law clerk for several years before he commenced a new job in the White House during the presidency of Ronald Reagan. After that, he had

various jobs both in the private and public legal sector. Barr served as US Attorney General under George H.W. Bush from 1991 to 1993. After this position, he returned to the private sector before being nominated as attorney general in 2018 by Trump. Barr officially became US Attorney General on February 14, 2019 making that his second time as attorney general. He is one of the two people in history to non-consecutively serve twice as Attorney General (US Department of Justice, n.d.). Barr is thus qualified for the job in terms of education and career. It is important to note, however, that Barr has spoken out in support of Trump during the investigation on multiple occasions before being appointed as attorney general. Therefore, it is likely that Barr was appointed to this role due to a combination of merit and political affiliation.

In general, Barr was very loyal to the president, meaning that he often prioritised Trump's political goals. In fact, he has often been criticised for prioritising the president's goals over the mission of the DOJ (Malloy et al., 2020). This behaviour by Barr can be quite problematic since the DOJ is supposed to be an impartial organisation that upholds the rule of law. By prioritising Trump's goals over the mission of the DOJ, he undermined the autonomy and impartiality of the department. While Barr's term can primarily be characterised by his devotion to the president, he refused to agree with Trump on his claims of voter fraud. When Joe Biden won the presidential elections in 2020, Trump claimed that Biden's victory was a result of fraud. However, Barr argued that the DOJ had found no such evidence (Malloy et al., 2020).

Barr has been involved in many controversies during his term as attorney general. Many have criticised his stance on LGBTQ+ rights, immigration and systematic racism in US law enforcement. On multiple occasions, Barr has tried to roll back the protections and rights of the LGBTQ+ community. For instance, he has supported Trump in the ban of transgenders serving in the military (Kheel, 2020). In terms of implementing immigration policies, Barr has

taken a firm stance that aligns with Trump's ideas on immigration. While his opinions on these matters roughly coincide with Trump's ideas, it can be questioned if these ideas are in line with the vision of the DOJ. Perhaps one of the most important controversies during Barr revolves around the Mueller investigation. FBI Director James Comey was investigating if Russian interference played a role during the elections when he was fired by Trump in the midst of this investigation. Deputy Attorney General Rod Rosenstein then decided to appoint Robert Mueller, former FBI Director, to lead a special investigation team. This team continued investigating the potential collusion that took place between Trump and Russia during the elections. When the report was done, Mueller handed it over to the new Attorney General William Barr. Two days later, Barr gave a summary of the most important findings of the report to Congress. In the days that followed, Mueller repeatedly reported his concern with Barr's summary arguing that he left out context and important details. After multiple letters by Mueller, Barr released the full report (Montoya-Galvez, 2019; Johnson & Phillips, n.d.). It then became clear that Barr indeed left out many details and information in his summary of the report. The official report, on the contrary, was very detailed and presented multiple pieces of potential evidence related to the case. Above all, Barr presented the findings as much more favourable to Trump than they actually were. Barr argued that no real evidence against Trump had been found, while the report gave multiple examples of potential obstruction by Trump (Guray, 2019). This situation led to controversy and was quite damaging to the autonomy and credibility of the DOJ. As argued before, the DOJ is supposed to be autonomous and impartial while upholding the rule of law. Barr violated those principles by giving a summary that was incomplete, misleading and biased. By providing a summary that was more favourable to the president, it raised questions on the credibility of Barr himself; is he there to uphold the rule of law or to politically support Trump?

After Trump (During Biden). When Biden rose to power, he appointed Merrick Garland as US Attorney General. Garland graduated with a Bachelor of Arts in Social Sciences from Harvard. Then he continued on with his education and received his Juris Doctor degree from Harvard Law School. Just after graduating, Garland started his career working as a law clerk for two years. Afterwards, he entered a private practice law firm for several years before returning to the public legal sector. He had several functions at the DOJ before becoming a judge of the US Court of Appeals for the District of Columbia Circuit. In 2021, he was sworn in as US Attorney General under the presidency of Joe Biden (US Department of Justice, n.d.).

Garland, so far, has primarily focused on several topics during his term, such as voting rights, civil rights and prosecuting those present in the Capitol attack. Under the Trump administration voting rights were limited, for instance through voter ID laws and opposing mail-in voting. Garland has made efforts to roll back these efforts. He has also doubled the staff of the DOJ civil rights unit. Additionally, Garland made efforts to determine if certain (voting) laws are discriminating against people of colour. Garland's determination to ensure equal voting rights for everyone can be illustrated by the fact that under his leadership the DOJ has sued multiple states, such as Georgia and Texas, for their discriminating voting laws (Phillips, n.d.; Cole et al., 2021; Perez, 2021). Garland has also accomplished a lot in the field of civil rights. He launched two investigations into both the Minneapolis and Louisville Police Departments after the deaths of George Floyd and Breonna Taylor. These investigations focused on the use of unnecessary force by police officers and discrimination among other things (Balsamo & Forliti, 2021; Levine & Mallin, 2021). Under Garland, the DOJ has banned the use of neck restraints during arrests and the use of no-knock entries during warrants, except in extreme cases. This means that chokeholds cannot be used anymore unless the person targeted presents an immense danger to others. Additionally, officers are not

allowed to enter a place without knocking, with the exception of extremely dangerous situations. Furthermore, the DOJ has also instructed agents and officers to wear body cameras (Carrega & Nickeas, 2021). His devotion to protecting civil rights and voting rights can be seen as the main accomplishments of his tenure.

Yet, Garland is also criticised by both conservatives and progressives. Conservatives argue that Garland should be more assertive when it comes to issues such as immigration and religious freedom. However, those are not the main topics of concern for the Biden administration. Perhaps surprisingly, some progressives also have criticised Garland as attorney general. It is often argued that Garland can be slow in his response to certain cases. For instance, during his investigation into Trump and the January 6 US Capitol attack. Many have also expressed their disappointment in Garland because, they argue, he tends to be hesitant in prosecuting politically sensitive cases that deal with powerful individuals. His critics claim that he tries too hard “to appear apolitical” which can have a less than desired effect. The DOJ’s investigation into the January 6 Capitol attack, for instance, has mainly resulted in the prosecution of the rioters rather than charging the high ranking officials that were connected to it, such as Trump. The DOJ was extremely politicised during Trump’s term as president and therefore Garland likely is determined to take an apolitical stance to change the image of the DOJ. However, clearly this can also have the opposite effect. Furthermore, progressives have criticised his somewhat moderate approach to criminal justice, hoping that he would be more aggressive in pushing for change (McCordick, 2023; Mystal, 2024).

Appointment, Promotion and Firing of Staff

Within the DOJ, both the attorney general and the president have the power to appoint and fire staff. In general, the attorney general is the one responsible for hiring new staff or firing employees. During Eric Holder’s term as attorney general, he focused mainly on

diversifying the staff. He hired people from various minority backgrounds to make the department more diverse. Holder implemented various diversity plans and programs to attract new talent. He focused on including people with disabilities and people with different races, genders and so on (US Department of Justice, 2014). These practices are aligned to his general vision as attorney general where he focused specifically on equality and diversity. Holder was also criticised however for allegedly engaging in politicised hiring practices. His critics argued that he only appointed liberal, left-wing individuals to certain divisions within the DOJ, such as the Civil Rights Division (von Spakovsky, 2011). This argument is mainly based upon the fact that the newly hired employees had a lot of experience in the civil rights field. Therefore, it can be questioned if these so-called politicised hiring practices were actually politicised. In fact, it seems only logical to appoint people who care about civil rights to a position that deals with civil rights. In 2011, Eric Holder had to implement a hiring freeze due to budget cuts. This issue was not unique to the DOJ and was felt across agencies. In 2014, the hiring freeze was lifted but had already resulted in the loss of roughly 4000 employees (US Department of Justice, 2014). Loretta Lynch largely continued Holder's diversity efforts by hiring people from various backgrounds. There were various initiatives launched under her leadership that aimed to make the department more inclusive. For instance, some initiatives focused on identifying and removing the obstacles that hinder women from working in law enforcement (US Department of Justice, 2016). There were no significant firing practices during her term.

When Jeff Sessions became attorney general, significant changes in the DOJ's staff were made. Many conservatives with similar norms and ideologies were appointed to important positions within the DOJ. Yet, these appointments were sometimes seen as controversial. For instance, Sessions appointed Eric Dreiband as head of the Civil Rights Division. Dreiband is said to have spent most of his career defending large companies and

organisations against discrimination charges. However, above all, he has also made personal statements opposing various civil rights protections. For instance, he publicly opposed initiatives aimed at equal pay for women. As head of the Civil Rights Division, it is one's task to protect civil rights but Dreiband has spent most of his career "challenging the very kinds of discrimination protections that the division was designed to enforce" (Berry, 2017). Sessions has also been criticised for his political bias in hiring immigration judges. The Trump administration, including Sessions, took a firm stance against immigration. According to whistleblowers, the DOJ was blocking the appointment of immigration judges that were seen as too liberal (Dart, 2018). Sessions also fired some high-ranking officials for being "disloyal" to the Trump administration. Under Sessions, FBI Director James Comey was fired. Comey was investigating the potential connection between Russia and the Trump campaign. Months before Comey was fired, Sessions actually praised Comey for his work. However, Sessions claimed that Comey was fired because of a memo that showed his poor performance. Interestingly, Trump claimed in an interview with NBC News that he fired Comey because of the Russia investigation (Cillizza, 2017). This indicates that essentially people were fired under Sessions for simply not being loyal to the president. This is problematic since individuals in these functions *should* in fact be impartial and yet they seem to be punished for being unbiased. Andrew McCabe, former FBI Deputy Director, was fired two days before his retirement in similar fashion. It was argued that McCabe did not adhere to the rules of the organisation, however many questioned the truthfulness of that statement. McCabe had been targeted by Trump for months, largely for his involvement in the Russia investigation (Gerstein & Lima, 2018).

When William Barr became attorney general, he largely continued in a similar direction as Sessions. Barr also was biased in his hiring practices, particularly regarding immigration judges. In fact, a case has allegedly been reassigned away from a judge because

Barr did not agree with the judges' decision (Whitehouse, 2020). Barr has also appointed controversial individuals to important positions. To illustrate, he hired John Lott as an adviser at the Office of Justice Programs. John Lott is well-known for his support of widespread gun ownership, a topic on which he does much research. He has argued before that widespread gun ownership will reduce crime. However, critics questioned his research methods and were worried about his appointment as senior adviser (Gerstein & Cheney, 2020). Barr also fired some high-ranking officials. Most notably, Geoffrey Berman was fired although Barr claimed that Berman was stepping down. Berman, however, decided to write a tell-all book that revealed that he was fired. It was believed that he was fired due to his role in the investigations against Trump and some of his closest allies (Pengelly, 2022).

Garland, with his focus on protecting civil rights, has built an inner circle at the DOJ. Many of the people that he hired are people that he has worked with previously, ranging from his law clerks to federal prosecutors. Most of these individuals have years of experience and are seen as qualified by most. However, some critics have questioned the appointment of some of these members of his inner circle because they used to work for big tech companies. Some people were worried that this was going to result in a conflict of interest (Barber, 2021; Sammon, 2021). At the same time, Garland has taken action to limit political influence on the DOJ. For instance, he prohibited political appointees from participating in political events, such as fundraisers. These efforts were made to restore the credibility and impartial nature of the DOJ (Knutson, 2022). Garland has not engaged in mass firings of DOJ staff. In fact, there are still some Trump appointees working within several divisions of the DOJ.

Legal Autonomy

To research the legal powers of both agencies, it is not necessary to compare their legal autonomy across the three presidencies. Ever since the creation of both agencies, there have not been any legal changes to alter these powers. As discussed earlier, under the

presidency of Richard Nixon, the EPA was created as an independent agency. This means that the EPA does not fall under a governmental department, which can protect it from political interference. On the other hand, the DOJ, as the name suggests, is an executive department. Departments are usually closer to the political centre because of their important role, yet this can also make them more vulnerable to political control. The EPA, being an independent agency by law, enjoys more legal autonomy than the DOJ. The EPA mainly operates under the authority of some of their environmental laws, such as the Clean Air Act. Because the EPA is an independent agency, it makes it more difficult for the government to suddenly take back their decision-making competencies. This becomes slightly easier within a department, such as the DOJ, because they are part of the executive branch and do not have the same amount of legal autonomy. It is important to note, however, that ultimately both agencies are accountable to the president. This also means that when deemed necessary, political interference is possible in both agencies (United States Environmental Protection Agency, n.d.; US Department of Justice, n.d.). While it is difficult to determine if Trump necessarily took back decision-making competencies from both agencies, his administration certainly was able to roll back many regulations. Moreover, Trump often made budget cuts in specific programs and agencies. These actions can all be seen as limiting the autonomy of the agencies. While the EPA thus technically has more legal autonomy than the DOJ, both agencies were damaged under the Trump administration.

Discussion of the Results

This section will shortly discuss the results of both agencies before coming to a conclusion by answering the hypothesis. When it comes to the heads of agency of the EPA, it is clear that all of them received a good education and have had important careers before becoming administrators at the EPA. It has to be said that Pruitt, compared to the other three administrators, was the only one that did not have an education or career in the environmental

field before becoming administrator. Yet, this does not have to be a problem per se. It is then relatively hard to find out if these administrators were appointed based on merit or political affiliation. In a way, it could be argued that they were all appointed based on merit since they have knowledge and skills, however that would be too simplistic of an argument. Therefore, it is important to consider their accomplishments and overall vision. While political opinions may vary on what is right and wrong in terms of environmental policies, the most important thing to consider is to what extent these administrators followed the mission of the agency. The agency was created to combat climate change and improve the environment and subsequently the health of US citizens. Something that becomes immediately clear is that the EPA has implemented many important regulations that will improve environmental health and combat climate change under the leadership of McCarthy and Regan. In fact, the Obama and Biden administration are both known for their dedication to the climate and environment. Under the Trump administration, many previous regulations were turned back or changed in a way that negatively affected the climate. Especially under Pruitt, many steps were taken that were just simply not good for the environment but above all went against the mission and the values of the EPA. Appointing someone with opposing beliefs to the mission and goals of an agency can be very damaging to the autonomy of said agency. It undermines not only the credibility of the organisation but also its effectiveness. It might become hard for the agency to carry out its goals under the leadership of someone with opposing beliefs. With a climate sceptic at the wheel, it can raise questions on how well-suited they are to properly lead the agency and realise its mission. Therefore, appointing a climate sceptic as the leader of an agency that is dedicated to combating climate change can be considered a political move. Especially considering the fact that the rest of the staff working at the EPA mostly has to follow the orders of the administrator. All in all, when one looks at the education and career of all administrators it can be argued that they were appointed based on merit, which improves

the autonomy of the EPA. However, all administrators were appointed by the president rather than by a dedicated board, which decreases the EPA's autonomy. Appointments by presidents are more likely to be political in nature. When it comes to the accomplishments of the agency, the agency was successful in fulfilling its goals under the Obama and Biden administration. However, under Trump's presidency, the autonomy and credibility of the EPA declined. The appointment of the rest of the staff within the EPA varied a lot during the different presidencies. When Obama and Biden were in office, people were hired on the basis of their qualifications and a science-based approach was taken. During the Trump administration, the autonomy of the organisation was damaged due to the appointment of mostly industry representatives. During the Obama administration, not many significant (mass) firings took place. Yet, under Trump, the EPA saw a brain drain when hundreds of scientists and experts were fired. Biden's administration, under the leadership of Regan, fired many of the industry representatives that were appointed under Pruitt to restore scientific integrity within the organisation. During all three presidencies, there have been some accomplishments within the EPA. However, it has to be said that these accomplishments happened mostly under Obama and Biden. Furthermore, the EPA during Trump was often under fire for its many scandals and controversies which damaged the reputation and autonomy of the EPA.

Within the DOJ, all attorney generals were appointed by the president as well. All of them received a good education which was relevant for their job. While it is not necessary to have a degree in environmental health to work at the EPA, it is necessary for attorney generals to have a degree in law. Moreover, all attorney generals had an extensive prior career before assuming this position. It can be questioned if all of them shared the vision of the agency. While all of them claimed to prioritise upholding the rule of law, several controversies tell otherwise. Regarding the appointment of the rest of the staff, the DOJ's autonomy took a hit when several controversial people were appointed under Sessions and Barr. Similarly, under

Trump's administration, various high-ranking officials were fired for political reasons, damaging the independence of the organisation. Accomplishments took place within the DOJ under all attorney generals, but all of them have also been entangled in controversies. Some worse than others.

When it comes to legal autonomy, the EPA has more autonomy than the DOJ. This can primarily be attributed to the EPA's status as an independent agency, which places it at a greater distance from the political centre. As a result, it becomes more challenging for the president to revoke its decision-making authority or interfere in their day-to-day tasks.

In summary, the EPA and DOJ have similar levels of managerial autonomy. They are neither extremely autonomous nor very dependent. However, the EPA has more legal autonomy than the DOJ. As expected, the EPA thus enjoys greater autonomy overall than the DOJ. As stipulated in the hypothesis, the expectation was that the likelihood that a populist party will gain control over the organisation decreases as the autonomy of a public organisation increases. Regarding this research, that means that there was an expectation that it would be more difficult for a populist government to gain control over the EPA than it would be to gain control over the DOJ. Based on the analysis performed, however, that hypothesis cannot be confirmed. The EPA has more autonomy than the DOJ, but nonetheless the Trump administration was able to (partially) control both organisations. In the EPA he did so by appointing like-minded staff, rolling back crucial regulations, cutting the budget and undermining scientific integrity among other things. Similarly, in the DOJ, he appointed loyalists, built relationships with high-ranking officials, influenced investigations and rolled back regulations. It can, and should, then be questioned why there is not a clear difference between the two agencies despite their varying levels of bureaucratic autonomy.

Upon assuming presidency, Trump appointed Scott Pruitt as the administrator of the EPA within one month. As discussed above, Pruitt and Trump had similar ideas regarding the

environment. This means that he was a climate sceptic who essentially prioritised the economy and the interests of the fossil fuel industry over the climate and a healthy environment. Moreover, many scientists and experts were removed from power and industry representatives were appointed to high-ranking positions. The managerial autonomy of the EPA thus became extremely damaged under the Trump administration. As discussed in the literature review, civil servants should technically be neutral and impartial. However, they might react (in various ways) when faced with pressure from populist governments; they might adhere to the new rules or resist the new government. In this case, many of the high-ranking positions were filled by like-minded people to Trump. The new staff might therefore have not felt the need to defend the organisation against political control, as they were already aligned with the president's agenda. Put differently, the organisation was changed from within. Of course, not all employees were fired and many people remained within the organisation. In a way, many of these employees *did* resist the new administration. Many of them took to the streets and protested against the Trump administration, the appointment of Scott Pruitt and the damage he could do to the organisation. Additionally, an initiative called Save the U.S. EPA was launched. However, these actions were more symbolic; they represented dissatisfaction and tried to inform others on what was happening (Lohan, 2019). What these initiatives did not manage to do is actually form a bulwark against political control.

Even though the EPA enjoys legal autonomy and their decision-making competencies were not necessarily ‘‘taken back’’ under Trump, his administration did manage to roll back many important environmental regulations. The reason that something like that could happen was because Trump's allies were already in high-ranking positions that had the authority to implement such changes. It can thus be argued that managerial autonomy is extremely important for the overall autonomy of an agency. It seems like when managerial autonomy is damaged, it is hard for agencies to defend themselves against control on other fronts. If an

agency thus wants to be guarded from political interference, it is pivotal that they are autonomous in all respects. The erosion of autonomy in one dimension can easily lead to the erosion of another dimensions' autonomy.

Another finding of this research concerns the state of US democracy. Some people have claimed that the US is not vulnerable to democratic backsliding due to the checks and balances that are institutionalised in their political system. However, after doing this research, it can be questioned if the checks and balances in the US are really that strong. For instance, there seems to be an absence of checks and balances when it comes to federal agencies and departments. The president has the power to appoint agency heads without much interference. It is true that the nominated head of agency does have to be approved by the Senate. Yet, the Senate was mainly republican controlled during Trump's term, making it easier to appoint like-minded officials. The agency heads, in their turn, have the power to appoint the rest of the staff without interference or much oversight at all. When they become head of agency, they have almost absolute power to appoint individuals to certain positions. Only for the highest ranking positions does a confirmation hearing take place. However, for other positions that can still be extremely important, no confirmation hearing takes place. This can potentially result in the appointment of unqualified individuals to important positions, as was the case during the Trump administration. In a way, it is relatively simple for the president to gain control over agencies, at least in the managerial dimension. After capturing the managerial dimension, it also becomes easier to exercise control over other parts of the agencies.

Conclusion

This research aimed to examine if bureaucratic autonomy influenced the occurrence of democratic backsliding in the US during the Trump administration. After analysing the bureaucratic independence of the EPA and DOJ during three different presidencies, it can be concluded that bureaucratic autonomy indeed influenced the occurrence of democratic backsliding, yet not in an expected way. The expectation was that the EPA, being more autonomous than the DOJ, would be able to safeguard democracy and form a bulwark against political interference. As the analysis has shown, this did in fact not happen. In this sense, the absence of bureaucratic autonomy can be seen as a factor that allowed for democratic backsliding to occur. The lack of independence within these agencies made them vulnerable to political interference and control, ultimately leading to the erosion of democratic principles. Due to the lack of managerial autonomy in both agencies, it became easier for Trump to also exert control over other parts of the organisation. Perhaps one of the key findings of this research is thus the importance of agencies being independent in all aspects. That is, if an organisation wants to safeguard democracy and protect itself from political interference, it should have autonomy in all the dimensions that were discussed by Verhoest et al. (2004), such as financial, legal and managerial. Only then will agencies be able to defend the state of democracy. This finding is pivotal because it underscores the importance and volatility of agencies. By recognizing the significance of bureaucratic autonomy, society can work towards strengthening democratic institutions and safeguarding democracy for the future.

Another important finding regards the overall state of democracy in the US. Many authors have previously argued that the US is designed to persevere in the face of democratic backsliding. The US has various institutional restrictions, such as separation of powers, that might hinder a change of political system. It is through these checks and balances that the US is better able to defend itself against democratic backsliding than many other countries

(Moynihan, 2021, pp. 172-173). While this may be largely accurate, this research has found that this picture that is often painted by experts and academics is not completely true. In reality, these checks and balances are either quite weak or completely absent in certain layers of the political system. The swiftness with which a president and their administration can implement significant staff changes within an agency is cause for concern. This can be illustrated by Trump's presidency where unqualified individuals who were hostile towards the agency's mission were appointed, thereby severely damaging the organisation.

The findings of this research are insightful and shed light on the potential effects of bureaucratic autonomy on democratic backsliding. While this research focused on the US under the Trump administration, its findings are relevant and provide a foundation for future research on the topic. However, when it comes to the generalisability of this research, several factors have to be taken into account. The US, like many other countries in the world, has a full presidential system. Yet, this does not mean that the results of this research are simply applicable to all presidential countries. To illustrate, let us consider countries, such as Brazil and Türkiye, who both have presidential systems and have dealt with democratic backsliding, respectively under Bolsonaro and Erdoğan. Yet, the results of this research cannot just simply be applied to those countries without any consideration, because all presidential systems are slightly different in nature. For instance, the US is a two-party system while the other two are multi-party systems. Moreover, all these countries vary in terms of checks and balances, and the separation of powers (Sabatini & Wallace, 2023; Dalay & Toremark, 2024). All these, and other similar, factors have to be taken into account, because they can alter the results of research. Furthermore, there are also many other countries with different political systems, such as parliamentary systems. Parliamentary systems are quite different from presidential systems, e.g. in terms of separation of powers. In parliamentary systems, the executive branch and legislative branch are usually more united and intertwined, whereas there is a strict

separation of powers in presidential systems (Benwell & Gay, n.d.). Again, these factors are able to influence the outcome of research and therefore should be carefully considered. Thus, the findings of this research provide a good foundation for future research to build upon. However, it should be noted that all countries have different political systems that can influence the research. Results might be similar to this research or vary, based on the respective political systems of the countries being studied.

An arguable weakness of this research then might be the somewhat limited generalisability of the results. Needless to say, by focusing on only one country during a specific time, the generalisability of the research decreases to a certain extent. However, this is a common feature of qualitative research where in-depth research on a specific topic is preferred over researching a broad topic in a shallow manner. This research is still generalisable, however when replicated the unique features of other countries' political systems should be considered to avoid flawed results. A major strength of this research is the fact that the (so far understudied) relationship between bureaucratic autonomy and democratic backsliding was analysed. By doing so, various insightful findings were discovered which provide a foundation for future research to build upon. Another strength of this research is the in-depth analysis that has provided a comprehensive and holistic understanding of the topic.

This research also has produced some theoretical implications. It was discovered that there is indeed a relationship between bureaucratic autonomy and democratic backsliding, albeit a different connection than expected. This is an insightful and useful finding that should be considered by both researchers working in the field of democratic backsliding, and by academics writing about bureaucratic autonomy. The relationship, as of today, is extremely understudied and hopefully this research can serve as a starting point for other academic to further delve into the topic. Moreover, this research has also found that the checks and balances prevalent in the US' political system are not as strong as previously thought. While

this might have been an unexpected finding of this particular research, it should not be ignored. It is crucial for researchers working in the field of US politics to take into account this new finding and reconsider previous research on the topic.

This research could not confirm the hypothesis, however many interesting novel insights were discovered. These new findings should be considered by future researchers delving into this topic. Recommendations towards researchers would thus be to continue research on the connection between bureaucratic autonomy and democratic backsliding. There is simply not enough research on the topic at present. Moreover, it would be recommended to strengthen bureaucratic autonomy within organisations in order to safeguard democracy and be protected from political control. Lastly, institutionalised checks and balances in the US should be enhanced in order to protect their democratic system.

In conclusion, as we reflect on the words of John Adams and the impact of bureaucratic autonomy on democratic backsliding in the US, we are once again reminded of the fragility and potential dangers of democracy. Adams' words about the unavoidable demise of democracies serve as a strong reminder of the necessity to protect democratic institutions from political interference. This research has illuminated the importance of strengthening democratic systems and agencies alike. During these turbulent times, let us remember the words uttered by Adams and work towards maintaining the core principles of democracy that are vital for a thriving and vibrant society.

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