

Presidential Politicization of the Executive Branch in the United States*

David E. Lewis
Department of Political Science
Vanderbilt University
2301 Vanderbilt Place
Nashville, TN 37235-1817
615-322-6228 (Central Time)
david.e.lewis@vanderbilt.edu

* I thank Martin Lodge, Terry Moe, Patrick Warren, and Kai Wegrich for helpful comments. Seminar participants at John E. Walker Department of Economics at Clemson University, Vanderbilt Law School, and the University of Texas at Austin provided helpful comments. The errors that remain are my own.

The administrative apparatus of the modern state exists in an uncomfortable position in democratic governance. For democratic government to be accountable it must be responsive to elected politicians. For it to be effective, however, often requires that the bureaucracy be insulated from political intervention. Democratic governments worldwide have chosen to insulate some administrative activity from politics in a number of ways from designing independent central banks to enacting detailed civil service statutes. For example, government workers in most modern developed democracies are protected by law, regulation, and norms from politically motivated work changes, demotions, or firing. Democratic governments provide this insularity to induce government workers to make a career of government work and invest their time and resources in acquiring costly expertise that will lead to more effective administration of government.

From time to time elected politicians intervene into what were previously considered to be insular or apolitical government bureaucracies in a phenomenon we often refer to as politicization. Several authors have identified the politicization of the administrative state as a general trend and more have identified the deleterious consequences of this practice for recruitment, unbiasedness, and bureaucratic capacity. For example, Ezra Suleiman (2003) devotes a good portion of his recent book to the politicization and deprofessionalization of higher civil service positions in a number of countries. His concern is that the politicization of the administrative state has dire consequences for the ability of the state to deliver important goods and services and for the delegitimation of the state in general.¹ Politicization contributes to lower morale, shorter tenure among civil servants, and difficulties in recruiting the best and the

¹ Suleiman's concern with how increased politicization affects bureaucratic capacity is unusual. Dierlen 1996 argues that while the tradeoff between politicization and administrative capacity is a common theme for American scholars of politicization, scholars of comparative administrative systems focus more on normative concerns about the violation of neutrality and issues of political control.

brightest in to government service. This loss of expertise and capacity coupled with the declining role of the state and an increase in vocal attacks on civil servants leads to lower levels of trust in government in general.²

On the other hand, a number of scholars have emphasized how politicization simply reflects efforts by elected officials to improve the accountability of the administrative state.³ By enhancing the party or ideological loyalty of the public service, elected officials make government more responsive to the wishes of public expressed through elections. Injecting political criteria into decisions about the hiring, firing, promotion and demotion of public servants weakens ties between civil servants and powerful, yet unrepresentative, groups. These existing connections can pull civil servants away from what the majority of the public prefers. Politicization can also disrupt the hidebound traditions of civil servants and enliven a public service grown stale in standard operating procedures, rigid culture, and inflexible outlook and approach. In this way, then politicization may improve the overall performance of the public service from the public's perspective.⁴

What appears to be a transnational phenomenon, however, has received the most attention in the United States. This chapter reviews the phenomenon of politicization in the United States context. It moves beyond the most common definitions of politicization in the US

² For a similar argument about how vocal attacks on the bureaucracy affect government legitimacy see Rosen 1983, 383.

³ For a nice review with differentiated approaches to the study of politicization in different contexts see Peters and Pierre 2004).

⁴ It is important to be clear here about what performance means since we often conflate ideology and performance. Theoretically, administrative agencies can perform well producing either policies on the left or right. A person unhappy with an agency's performance may be unhappy either because they successfully implement a policy they think is flawed (i.e., too left or too right) or because an agency makes mistakes—they try and set a policy that is left, moderate, or right but fail. Persons may be willing to have an agency make a few more mistakes to have the agency set the "right" kind of policy (i.e., left, moderate, or right). For example, if a school district implemented a conservative curriculum a parents' organization thought was flawed, they would be unhappy. They would be willing to have a few bumps in the road to get in place a more left-leaning curriculum. From the parents groups' perspective such a change would be an improvement in performance even if the school did a worse job implementing the new curriculum.

context to broader measures. It explains why U.S. presidents politicize and why they politicize some agencies and not others. The chapter focuses on politicization motivated by a presidential desire to change agency policies but constrained by the need not to excessively damage agency competence. It presents new data on US agency politicization from the George W. Bush Administration and concludes with discussion about how the findings translate into other contexts.

What is politicization?

Politicization can refer to a number of different but related phenomena and the lack of clear definitions has caused some confusion in the scholarly literature.⁵ The term often refers to the addition of political appointees on top of existing career civil service employees or the practice of placing loyal political appointees into important bureaucratic posts formerly held by career professionals.⁶ This is perhaps its most common meaning in the U.S. context.⁷ It can also mean, however, a number of related practices associated with political intervention in administration including the practice of recruiting appointees only on the basis of party loyalty, involving civil servants in political fights, and making appointment and promotion decisions in the civil service on the basis of political attitudes. More research has been conducted on the

⁵ For a nice review see Peters and Pierre 2004.

⁶ See, for example, Dunn 1997, Hecl 1975, Lewis 2005b, Rose 1987, Suleiman 2003. Krister Stahlberg (1987, 378) notes that, “Politicization may be portrayed in terms of extent, how many positions are filled politically and how deep in the administrative hierarchy does politicization extend its influence, and—in terms of the intensity of politicization—how blatant is the patronage, the disregard for normal recruitment procedures.”

⁷ Peters and Pierre (2004, 2) define it more generally as “The substitution of political criteria for merit-based criteria in the selection, retention, promotion, rewards, and disciplining of members of the public service.” This includes the replacement of one set of public servants with another set. Yet, politicization can also be simply the influencing of the behavior of public servants rather than their replacement. Influence can be exerted through a variety of informal or formal incentive schemes. Informal means extend from informal threats to limiting access to career personnel with out of favor policy views. More formally, managers can install pay-for-performance award plans or (implicitly threaten to) reorganize agencies or devolve policy responsibility so that other actors gain authority to make key decisions.

increasing penetration of political appointees into the civil service than other forms of politicization.

A recent example from the George W. Bush Administration helps illustrate this point. Among the controversial aspects of the George W. Bush presidency were actions by his subordinates to politicize different agencies in the government including the Department of Justice.⁸ The White House was involved in selecting US attorneys for removal both because some would not prosecute public corruption cases aggressively enough and as a means of providing jobs for protégés of key Republican figures like Karl Rove.⁹ An internal department probe concluded that Civil Rights Division head Bradley Schlozman injected partisan politics into hiring and other decisions.¹⁰ Department of Justice appointees admitted that they had hired, fired, and promoted civil servants on the basis of political views in violation of civil service regulations.

Presidency scholars have arranged politicization episodes like this one into broader theoretical accounts that explain politicization across presidencies.¹¹ Yet, there is relatively little generalizable empirical research evaluating this common feature of executive branch politics. Existing research is largely comprised of analysis of key historical episodes and trends across

⁸ Other examples include the Central Intelligence Agency and the Environmental Protection Agency. The new director of the CIA brought a cadre of partisan appointees with him to help him rein in the intelligence agency and ignited an internal firestorm of protests and resignations. Priest, Dana, and Walter Pincus. 2004. "CIA Chief Seeks to Reassure Employees." *Washington Post*, November 16, 2004, A1. The White House reviewed and revised agency reports by scientists at the EPA on global climate change to make sure the agency's pronouncements were consistent with White House positions. Revkin, Andrew C., and Katherine Q. Seelye. 2003. "Report by E.P.A. Leaves Out Data on Climate Change." *New York Times*, June 19, 2003 (on-line edition; <http://query.nytimes.com/gst/fullpage.html?res=9C07EED81138F93AA25755C0A9659C8B63>, last accessed March 2, 2009).

⁹ Johnson, Carrie. 2008. "Internal Justice Dept. Report Cites Illegal Hiring Practices." *Washington Post*, July 29, 2008, A1; Johnson, Carrie. 2009. "Report Cites Political and Racial Bias at Justice." *Washington Post*, January 14, 2009, A8; Eggen, Dan, and Paul Kane. 2007. "Gonzales: 'Mistakes Were Made.'" *Washington Post*, March 14, 2007, A1. See also Gordon 2009.

¹⁰ Horton, Scott. 2009. "DOJ Internal Probe Confirms Politicization, Again." *Harper's*, January 13, 2009 (on-line edition, <http://harpers.org/archive/2009/01/hbc-90004180>, last accessed, March 5, 2009).

¹¹ See, for example, Hecla 1977; Lewis 2008; Moe 1985; Nathan 1975; Weko 1995.

time. When empirically oriented work has deviated from this pattern it has focused on those aspects of politicization that can easily be counted such as increases in the number or percentage of appointees. As a result, we know very little systematically about which agencies are politicized and why beyond raw numbers of political appointees. For example, we do not know which agencies are more likely to make decisions on the basis of ideology rather than evidence, which agencies' day-to-day business is infused with partisan politics, which agencies make promotion decision in the civil service on the basis of partisan or political views, and which agencies are more or less run by the White House. These are precisely the forms of politicization that were at issue in the Department of Justice and represent what political observers and scholars commonly mean when they talk about politicization. The fact that we know so little about general patterns of politicization as commonly understood is problematic given the visibility and importance of this topic for the modern presidency and American politics.

Scholarly and public concerns about politicization in the United States trace back to the start of the Republic.¹² The most prominent U.S. academic work on politicization using this label, however, emerged in the 1970s and 1980s.¹³ This work described a shift in presidential emphasis away from securing legislation and toward control of administration as a means of changing public policy. It explains the origins of this strategy in the modern presidency, the institutional incentives that animate it, and its effects on performance. Most work written during this period targeted specific episodes including, notably, the development of an administrative strategy in the Nixon Administration.¹⁴ Other works detailed the politicization of the Bureau of

¹² The controversy surrounding Alexander Hamilton's role in the Treasury Department, Thomas Jefferson's refusal to make midnight appointments in *Marbury v. Madison*, and Andrew Jackson's intervention in the Second Bank of the United States are notable examples (Light 2008).

¹³ See Heclo 1977; Moe 1985; Nathan 1975.

¹⁴ See Nathan 1975.

the Budget and its consequences or President Reagan's attempts to get control of the regulatory and social welfare agencies.¹⁵

Subsequent works track the emergence of politicizing trends in the modern presidency more generally. They detail an increased presidential focus on loyalty in appointee selection, an increase in the number of political appointees, and the harmful effects of various forms of politicization on performance.¹⁶ Aberbach and Rockman (1990) importantly show how politicization efforts were successful changing the partisan and ideological composition of the upper levels of the civil service. Suleiman (2003) details the increasing prominence of the New Public Management and the politicization that accompanies it across countries and details its influence on politicizing activity. Lewis (2008) tracks the number of appointees in different agencies in the U.S. since 1960 and shows how this variation is partly explained by concerns for policy and patronage. He has little to say, however, about other forms of politicization.

While these analyses provide rich detail about why and how presidents politicize, they rarely explain which agencies presidents politicize and in what ways they are politicized. The large-N work focuses almost exclusively on the number or percentage of appointees rather than more common forms of politicization such as the extent to which agency decisions are made on the basis of ideology versus evidence, the degree to which partisan politics define agency decisions, the prevalence of partisan considerations in civil service promotions, or the degree of White House influence over agency decision making (Lewis 2008). It is worth noting that the penetration of appointees into agencies is arguably a *strategy* for politicizing rather than a *measure* of its existence. Efforts to increase or decrease the number of appointees may or may not increase to extent to which an agency's work is politicized. The analysis that follows first

¹⁵ See Durant 1992; Goldenberg 1984; Heclo 1975; Nathan 1983; Rosen 1983.

¹⁶ See Pfiffner 1996 and Weko 1995; National Commission on the Public Service 1989, 2003; and Dunn 1997; Heclo 1977; Light 1995; Suleiman 2003; Volcker 1989; see, however, Maranto 1998, respectively.

explains how presidents and their subordinates make decisions about which agencies to politicize. It then evaluates the distilled expectations from the argument using new measures of politicization consistent with our understanding of the concept drawn from cases like the Department of Justice during the George W. Bush Administration.

Presidential Politicization: Why and Where?

There are a number of factors that influence presidential choices to politicize some agencies and not others. Similar institutional and political incentives across presidencies operate in predictable ways to help predict where presidents will politicize based upon the ideology of agencies, importance of an agency for the president's agenda, and the extent to which politicizing will hurt agency performance.

When presidents assume office they confront a continuing professional government comprised of two to three million federal civilian employees working in 15 cabinet departments and their sub-cabinet agencies along with 55-60 independent agencies. Some of these agencies share the president's priorities and views about policy and some do not. Some will do what the president prefers without much direction from the White House while others require more attention and intervention. One reason this is the case is that agencies themselves have views about what policy should be and this can be at variance with the president's own views. The mission of some agencies puts them at odds with the president. If an agency's authorizing statutes require federal intervention in education or environmental regulation, for example, simply carrying out their mission may put the agency's civil servants at odds with the president. What is more, persons who support these missions self-select into these agencies so that liberals and Democrats are more likely to work in social welfare and regulatory agencies than

Republicans. Conservatives and Republicans are more likely to work in defense and fiscal agencies.¹⁷ This implies that presidents are more likely to politicize agencies that have policy views at variance with their own. The focus of their politicization should be to get control of the agency and change its direction, from the allocation of its budgets, to the content of its reports, to the promulgation of its regulations. This implies the following expectation:

H1: Presidents are more likely to politicize when their policy views diverge from those of the agency.

Presidents place more importance on some programs and agencies than others. Presidents may care more about environmental regulation than regional development or social security than transportation. Some agencies, whether liberal or conservative, will be responsible for formulating or implementing key components of the president's agenda and these get more attention from the president and his subordinates. This is reflected strategies presidents adopt for staffing the bureaucracy both in terms of the speed with which positions are filled and the background and qualifications of the persons appointed. For example, presidential personnel officials refer to the "Key 87" positions or the "choke points" in government necessary for the accomplishment of the president's agenda.¹⁸ The agencies that garner presidential attention vary from president to president. For President Bush the Department of Education (No Child Left Behind), the Department of Defense (Military Transformation), and the Social Security Administration (Privatization) were important for accomplishing publicly stated policy goals. For President Obama, the Department of Energy (Renewable Energy), the Department of the Treasury (Economic Recovery), and the Department of Defense (Ending War in Iraq) were important. Some agencies rarely find a place on any modern president's agenda (Agriculture,

¹⁷ See Aberbach and Rockman 1976; Maranto and Hult 2004.

¹⁸ See Lewis 2008; Pfiffner 1996; Weko 1995.

General Services Administration, Small Business Administration). Others only get on the agenda after scandal or catastrophe (Veterans Affairs, FEMA). Successful accomplishment of the president's agenda is a key component of electoral accountability but also contemporaneous and historical evaluation of the president's success or failure. The extent to which presidents politicize any agency depends upon whether that agency is central to the president's agenda.

H2: Presidents are more likely to politicize agencies whose policies are on the president's agenda.

Presidents do not make politicization choices unconstrained. Presidential efforts to politicize the bureaucracy hinge upon the implicit or explicit approval of Congress. Congressional authorization and appropriations committees review executive actions within agencies and give instructions through informal communication, hearings, reports, or statutory language. While presidents have significant discretion under the law, they always act with an eye toward what Congress's response is likely to be. Congress and the president share similar concerns about policy outcomes, but these concerns can lead to different views about politicization because of institutional and partisan differences between the two branches. Congress is generally less enthusiastic about politicization since it can pull policy away from what they prefer. During the bulk of the Bush presidency, however, Congress itself was relatively conservative and sympathetic to the president's efforts to assert control of the executive bureaucracy.

H3: Presidents are less likely to politicize the more their policy views diverge from those of Congress .

Agency performance concerns also constrain the president either directly or indirectly through Congress. Politicization can threaten agency performance by injecting problematic

political concerns into agency decision making (e.g., monetary policy, budget forecasting), increasing influence costs (i.e., efforts wasted on internal politicking), or damaging the motivation and career paths of civil service professionals. Of course, politicization is a riskier strategy in some agencies than others. In some cases politicization can occur with little or no influence on performance and in other cases politicization dramatically harms agency competence. The key factor that influences the president's politicization choice is the *marginal* influence politicization will have on performance. Agency sensitivity to politicization is a function of a number of factors. Prominent among them are the complexity of agency tasks and the effects of politicization on the choices of career professionals.

One motivation undergirding civil service reform was the belief that a civil service system would lead to the cultivation of administrative expertise that would improve government performance. Regular political intervention into the bureaucracy undercut the incentives for civil servants to develop useful expertise. What was true in the 1800s is true today. Politicization can damage agency competence to varying degrees through its effects on the incentives of career professionals to invest in expertise or work or stay in an agency at all.¹⁹ If politicization successfully changes policy away from what career professionals prefer or otherwise reduces their work satisfaction because they are excluded from key agency decisions or frequently overruled, some may leave, to the detriment of the agency. At minimum, they may stop investing in expertise and training that could help the agency or work with less enthusiasm. Variation in politicization is partly a function of how political intervention (e.g., increased appointees, more White House intervention) will differentially influence agency performance. Some agency tasks are relatively simple and efforts to interject politics into agency activities will have few consequences for performance since many people can do the work and little expertise is required.

¹⁹ See Gailmard and Patty 2007; Lewis 2008.

Other agencies perform complex functions where increased political intervention can have dramatic consequences. This leads to the general expectation that:

H4: Politicization decreases as the sensitivity of agency competence to politicization increases.

This should be seen clearly in different presidential treatment of agencies that perform complex tasks relative to those that perform less complex tasks.

Together these four hypotheses suggest that variation in politicization among agencies should be a function of agency ideology, presidential priorities, Congress's support for politicization, and how sensitive the agency's performance is to politicization. The next section turns to data that allows us to measure these different forms of politicization systematically across agencies.

Data, Variables, and Methods

To measure politicization across the federal government this paper uses data from the 2007-2008 Survey on the Future of Government Service, the largest ever political science survey of federal executives. The survey was conducted by the Princeton Survey Research Center during the Fall and Winter of 2007-2008. It was sent to 7,448 federal administrators and program managers in the various departments and agencies.²⁰ The overall response rate, once potential respondents included incorrectly were excluded, was 32% (2,225/6,690).²¹ The response rate for career professionals was 33% (1,978/5,909).

²⁰ This is the entire population of program managers and administrators according to the *Federal Yellow Book* and *Federal Regional Yellow Book* publishers. Survey investigators obtained the names and contact information directly from Leadership Directories, Inc., a firm that publishes the *Federal Yellow Book*. The survey excludes executives that are not administrators or program managers.

²¹ Of the 7,448 names 297 potential respondents were excluded because they were not federal employees, had left office by the time the survey began, were duplicates, or otherwise not federal executives. The original list also

The goal will be to see whether differences in politicization across agencies are correlated with the ideology of the agency, presence on or off the president's agenda, and sensitivity of agency performance to politicization. The analysis will focus simple relationships in the data as much as possible. Where necessary or helpful the discussion will refer to relationships revealed through more complex statistical but the details of these analyses are largely omitted.²²

Measuring Politicization

The survey included a number of questions intended to assess the degree of politicization in each agency along the lines suggested by the Department of Justice example at the start of the paper. These questions ask about the following forms of politicization: 1) the extent to which ideology rather than evidence determine policy decisions, 2) the extent to which agencies are politicized enough so that it is common knowledge who the Republicans and Democrats are in the career service, 3) the extent to which policy or partisan views influence promotion decisions (in violation of civil service regulations), and 4) how much influence the White House has over policy decisions in each agency.

included 461 potential respondents from the National Science Foundation because the firm incorrectly labeled NSF program officers as managers or executives.

²² Since the data are ordered and categorical and the distances between categories may not be equal, I estimate a series of ordered probit models of the different measures of politicization. Since the observations are not independent because groups of executives work in the same agencies, I report robust standard errors clustered by agency. Models include the variables described in the subsequent text and a number of agency-specific and respondent-specific factors arguably correlated with other key independent variables whose exclusion could lead to biased estimates on the key variables of interest. The agency-specific controls include agency size, whether or not the agency is a commission, the proportion of agency employees that are professionals, the proportion of agency employees that are involved in adjudicatory activity. Respondent-specific controls include ideology, extent of contact with top agency officials, years of agency experience, and work location (regional vs. headquarters). Full description of the models, controls, and results are available from the author.

Figure 1 graphs the average responses to these questions by agency.²³ The questions and their associated descriptive statistics are listed below. Answers to each have been recoded so that higher values indicate more politicization.

1. Please indicate your level of agreement with each of the following statements about your work and job setting [strongly disagree, disagree, agree, strongly agree, don't know]: *“Policy decisions concerning my agency are based upon evidence rather than ideological beliefs”* (mean 2.59; SD 0.91; Min 1; Max 4)
2. Please indicate your level of agreement with each of the following statements about your work and job setting [strongly disagree, disagree, agree, strongly agree, don't know]: *“Among career managers in my agency I have a pretty good idea of who is a Democrat and who is a Republican”* (mean 2.76; SD 0.86; Min 1; Max 4)
3. Please indicate your level of agreement with each of the following statements about your work and job setting [strongly disagree, disagree, agree, strongly agree, don't know]: *“In my agency the policy or political views of career professionals at the GS-12 to GS-15 level influences their chances for promotion or attractive assignments”* (mean 1.71; SD 0.75; Min 1; Max 4)
4. *In general, how much influence do the following groups have over the policy decisions in your agency (White House)?* [none, little, some, a good bit, a great deal, don't know] (mean 3.80; SD 1.13; Min 1; Max 5)

Among the consistently most politicized agencies by these measures are the State Department, the Environmental Protection Agency, the Department of Veterans Affairs (VA), and the Department of Education. Three of these four agencies are generally considered liberal agencies and on its face, this suggests that President Bush targeted liberal agencies more than conservative or moderate agencies.²⁴ Without aggressive direction from the president or his appointees, these agencies likely would have produced policies the president would not otherwise support. The fourth agency, the VA, was implicated in the Walter Reed hospital

²³ The graphs include only agencies with at least twenty respondents.

²⁴ See Clinton and Lewis 2008.

scandal and political issues surrounding the treatment of American veterans returning from service in Iraq or Afghanistan.²⁵

[Insert Figure 1 here.]

Interestingly, these measures of politicization do not correspond neatly with the percentage of appointees in these agencies. While the Department of Education and State Department have relatively high percentages of appointees, the EPA has a moderate amount and the VA has a relatively low percentage relative to other agencies.²⁶ This reinforces the need to evaluate presidential politicization using more than counts or percentages of appointees which, while important, provide only one lens into politicization.

Among the least politicized agencies by these measures are the Federal Trade Commission, the National Archives and Records Administration, the Nuclear Regulatory Commission, the Department of the Treasury, and the group of smaller agencies lumped into the “Other” category. Two of these agencies are independent commissions, designed in statute to be insulated from presidential influence. This implies that structural barriers to influence written in to statute may increase the difficulty of politicizing these agencies. The fact that smaller agencies lumped together in the catch all “other” category are among the least politicized suggests that more visible agencies and larger agencies are more likely to be politicized. The Department of the Treasury’s relevance to the president obviously increased after the period of the survey but the agency persisted through large portions of the Bush Administration with significant appointee vacancies. This might help explain the low reported levels of politicization.

One other notable case here is the Department of Justice which has low reported levels of politicization relative to other agencies. On its face, this appears inconsistent with popular

²⁵ Fletcher, Michael A., and William Branigin. 2007. “Ex-Army Doctor, Vietnam Vet Nominated as VA Secretary.” *Washington Post*, October 31, 2007, A17.

²⁶ See Lewis 2008, 82.

accounts of DOJ's politicization but it is worth considering three factors. First, by mid-September 2007 when the survey was about to go in to the field, at least 7 top officials at DOJ had left the department including Attorney General Alberto Gonzales.²⁷ DOJ was in the process of returning to normalcy or depoliticizing when the survey was in the field. Relative to the height of the controversy, DOJ was less politicized and this likely influenced the responses of DOJ officials. Second, we do not know what the baseline responses to these questions are for DOJ personnel and so it is possible that the levels of politicization reported are still high relative to historical levels. Finally, it is possible that politicization levels are generally higher in other departments which do not share the Justice Department's law orientation and legal and law enforcement professionalism.

Politicizing Agencies with Different Policy Views

The theoretical expectation is that politicization driven by concerns for *policy* should be highest in agencies whose policy views diverge from those of the president. Since George W. Bush was conservative, politicization for policy should emerge in liberal agencies. I divide agencies up into liberal, moderate, and conservative agencies and evaluate whether politicization varies by agency ideology.²⁸ A simple comparison of means for liberal agencies compared to moderate and conservative agencies shows a statistically distinguishable difference in

²⁷ Eggen, Dan. 2007. "Third-in-Command at Justice Dept. Resigns." *Washington Post*, June 23, 2007, A4.

²⁸ To determine which agencies are liberal and which are conservative I use estimates from Clinton-Lewis 2008 (mean 0.24; SD 1.1; Min -1.72; Max 2.4). Clinton and Lewis surveyed thirty-seven experts about whether departments and agencies "slant Liberal, Neither Consistently, slant Conservative, Don't Know." They used these expert survey responses—adjusting for the degree of expertness (discrimination) and different thresholds for what constitutes a liberal or conservative agency—to get estimates of which agencies are consistently liberal or conservative. Higher values indicate a more conservative agency and coefficient estimates should be negative, indicating that more conservative agencies are less likely to be politicized.

politicization levels in the expected direction in three of the four cases (Figure 2).²⁹ Respondents who work in liberal agencies are significantly more likely to report that ideology plays a more important role in policy decisions, that they know who the Republicans and Democrats are in their agency, and that the White House has a good bit or great deal of influence over policy decisions in their agency.³⁰ Respondents in liberal agencies were more likely to report that policy decisions were made on the basis ideology vs. evidence, that they knew the partisanship of their colleagues, that job assignments in the civil service were influenced by the policy views of federal employees, and that the White House exerted “a good bit” or “great deal” of influence over policy decisions in their agency.

[Insert Figure 2 here.]

Politicizing Agencies on the President's Agenda

A second key expectation is that agencies central to the formulation and implementation of the president's agenda should be more politicized than other agencies. To evaluate this expectation I use information from the president's 2007 State of the Union Speech and a 2006 evaluation of his agenda by the *New York Times* to identify agencies on the president's public agenda.³¹ I divide all agencies into two groups, those mentioned in the *Times* article or

²⁹ To conduct difference of means tests I created an indicator coded 1 for all agencies whose Clinton-Lewis score was statistically distinguishable from zero in the liberal direction. All t-tests were significant at the $p < 0.05$ level except for the question about political views and promotions in the civil service where the p-value was 0.55.

³⁰ If Democrats are excluded, independents and Republicans report overall lower levels of politicization but the same overall pattern. Liberal agencies have significantly higher levels of politicization (even with fewer cases) in two of the four cases. In the case of civil service violations, however, liberal agencies have slightly lower (though not significant) average levels of politicization when Democratic respondents are excluded.

³¹ The agencies coded as being on the president's agenda as the Department of Defense, the military services, the intelligence agencies, Department of Homeland Security (War on Terror, wars in Iraq and Afghanistan); the Office of Management and Budget (balanced budget); Millennium Challenge Corporation (mentioned in speech); Social Security Administration (longevity of program); the Department of Education (No Child Left Behind, Vouchers); Department of Energy (new sources of energy, energy independence); Food and Drug Administration; Centers for Medicaid and Medicare Services (Medicaid); National Highway Traffic Safety Administration (CAFE Standards); State Department (Middle East, foreign aid); Bureau of Land Management (oil exploration); Department of the Treasury (tax cuts); Environmental Protection Agency (mentioned).

responsible for a policy or issue raised in the speech and all other agencies.³² Respondents working in agencies identified as central to the president’s agenda are significantly more likely to report that job assignments in the civil service were influenced by the policy views of federal employees, and that the White House exerted “a good bit” or “great deal” of influence over policy decisions in their agency. While respondents were slightly more likely to report that they knew the partisanship of their colleagues, the difference was not large enough to distinguish it from occurring by chance. Interestingly, respondents in these agencies were *less* likely to report that decisions in their agencies were made on the basis of ideology as opposed to evidence. Substantively, respondents working in agencies on the president’s agenda are about 3 to 4 percentage points more likely to report that they know the partisanship of their management colleagues and report that political views influence the chances that a civil servant gets promoted or gets an attractive assignment. They are about 12 percentage points more likely to report that the White House exerted “a good bit” or “great deal” of influence over policy decisions in their agency. In total, there is some evidence that agencies on the president’s agenda get politicized more than other agencies but the results are mixed.

Do Concerns for Politicization’s Impact on Performance Constrain Politicization?

One expectation from above is that Presidents’ choices about where to politicize are determined not only by agency policy views, but also the sensitivity of agency performance to politicization. Specifically, presidents should be less likely to politicize agencies that perform more complex tasks since doing so could have the greatest influence on performance. Of course measuring the sensitivity of agency performance to politicization or task complexity is difficult

³² Those agencies mentioned in the State of the Union speech or New York Times article comprise 51.49% of cases in the survey.

and it is hard to find satisfactory proxies for these concepts. With that in mind, I measure the complexity of agency tasks using percentage of an agency's programs that are research and development programs with the expectation that agencies with more research and development programs have more complex tasks and will be less politicized. Agencies that have high proportions of R&D programs include the National Aeronautics and Space Administration (54%) and the Department of Energy (56%). Agencies that have no R&D programs include the Broadcasting Board of Governors, Commodity Futures Trading Commission, and Corporation for National and Community Service. I have also measured agency task complexity using the percentage of an agency's employees that are scientists, engineers, architects, mathematicians, and statisticians.

The correlations between these measures and the various forms of politicization are modest overall. The correlation between measures of task complexity and measures of politicization are negative in 7 of 8 cases, implying that agencies with complex tasks are less politicized. These correlations are only statistically distinguishable from chance in 3 of the 8 cases, however, and the relationship is generally weak. Overall, the effects are modest and more suggestive than conclusive.

Summary of Data Analysis

In total, President Bush appears to have politicized liberal agencies such as social welfare agencies as other Republican presidents before him have done.³³ He appears also to have focused his attention on some agencies more than others as presidents before him have done. This is consistent with the findings of earlier scholars that presidents focus on key positions or choke

³³ See Durant 1992; Goldenberg 1984; Nathan 1975, 1983; Rosen 1983.

points essential for the president's agenda.³⁴ Finally, there is some limited but suggestive evidence that President Bush politicized research and development or scientific agencies less. This is consistent with the findings of Lewis (2008) that presidents are less likely to politicize agencies with higher proportions of technical employees.

Discussion and Conclusion

The politicization of the Department of Justice in the United States had observable consequences for the way in which law was enforced by U.S. Attorneys, the integrity of the civil service, and, arguably, the long-term capacity of the Department of Justice to carry out its mission.³⁵ It was one of a number of politicization episodes in the Bush Presidency and symptomatic of a larger regularity in the modern presidency in the United States. Modern presidents, both Democrats and Republicans, politicize the bureaucracy to get control of the continuing professional government. Presidents prefer agencies that share their views about policy, views arguably ratified by the public in presidential elections. As the evidence here suggests, presidents target agencies whose policy views differ from their own and are important to their agenda. Their overall efforts to politicize government agencies are constrained by the legislature and by their own concerns for performance.

The differences between the United States and other countries in political structure, history, and culture make generalizing from the United States experience perilous. For example, the United States has from 3,000 to 4,000 political appointees that turnover from one presidential administration to the next. This is a significantly higher number than most other developed democracies and appointees tend to penetrate much deeper into agency hierarchies than most

³⁴ See Lewis 2008; Parsneau 2007; Pfiffner 1996; Weko 1995.

³⁵ See Gordon 2009; U.S. Department of Justice 2008, 2009.

other similar countries. The findings in the U.S. case, however, are suggestive and potentially useful for understanding recent reports of politicizing episodes in Australia, Britain, Finland, France, Germany, Japan, and Spain.³⁶ For example, politicizing activity is likely related to differences in policy views and priorities between sitting administrations and civil servants in departments and ministries. When new governments are elected it is common for them to confront a permanent bureaucracy that either prefers the policies they helped the last government put in place or the status quo. This is why it is not unusual to observe administrative reform when new governments come into power. For example, one of the first issues on the new government's agenda in Japan after the ascension of the Democratic Party was reform of the bureaucracy and personnel system. Given the research in the United States, we might expect that agencies with the most divergent preferences, most important for the new government's agenda, and whose competence is least sensitive to politicization will be targeted more than others.

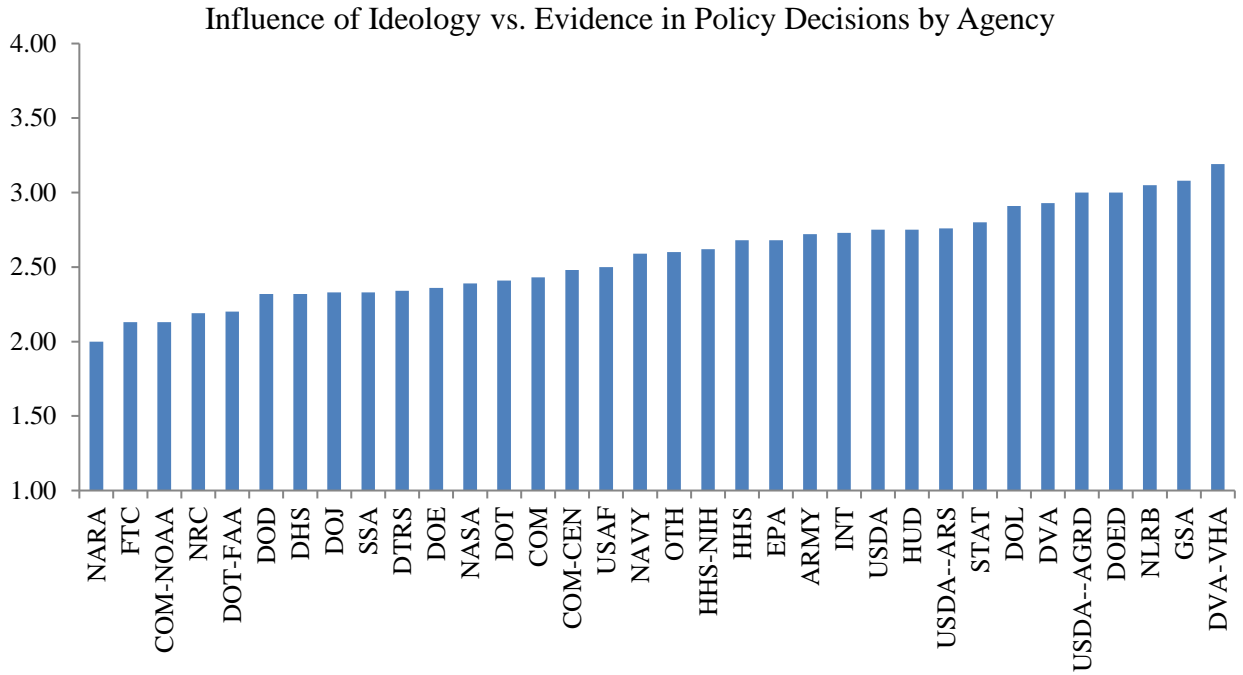
Of course, in coalition governments the overall propensity to politicize may be reduced. Notably, the degree of policy change from election to election is smaller in coalition governments. This implies that the impulse to politicize may also be smaller in coalition governments since the degree of divergence between the policy views of political officials and the public servants that populate the ministries is smaller. When coalition partners endure there is naturally less turnover. When parties endure in power it is also easier for party and personal relationships to influence personnel decisions. For example, it is not uncommon for such relationships to allow persons stay in jobs until they reach key milestones such as pension entitlements where they otherwise would be moved out.

³⁶ See generally Derlien 1996 and Suleiman 2003. But see also Dunn 1997 (Australia); Fry 1984, Mascarenhas 1993, Ridley 1985 (Britain); Merikoski 1969, Stahlberg 1987 (Finland); and Derlien 1985 (Germany).

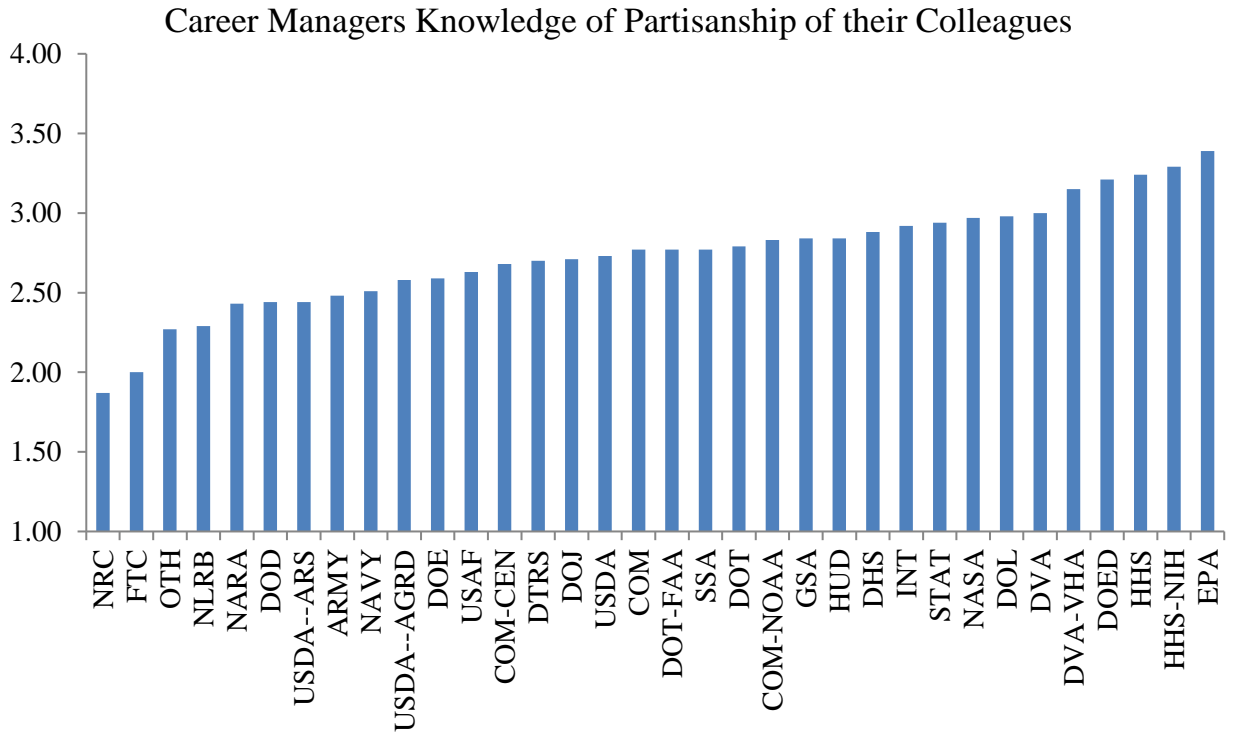
The nature coalition government itself also probably constrains the amount of politicization. While parties are allocated portfolios and given a measure of autonomy, other coalition members presumably would object if one of their partners was too aggressive at politicizing one of the ministries in their portfolio. The size and frequency of service of parties in government also influences the propensity of parties to politicize. If parties do not have a large pool of experienced candidates to move into jobs, they will have less of an incentive to politicize.

The case of the politicization of the Department of Justice in the United States is representative of a more general pattern in a number of countries worldwide and illustrates the uncomfortable position of bureaucracy in a democracy. Legislatures are delegating increasing amounts of policymaking authority to administrative actors as the volume, scope, and complexity of government work increases. Government ministries and departments increasingly make important policy decisions and this increases the stakes of administrative choices for elected officials. The efforts of elected officials to control the policymaking process inside government agencies leads elected officials to violate or otherwise work around existing laws, rules, and norms concerning the independence of government agencies. The contours and consequences of these actions are not yet fully known but are certain to have a profound influence on the policymaking process and the role of the administrative state in democratic governance.

Figure 1. Different Measures of Politicization by Federal Agency, 2007-8

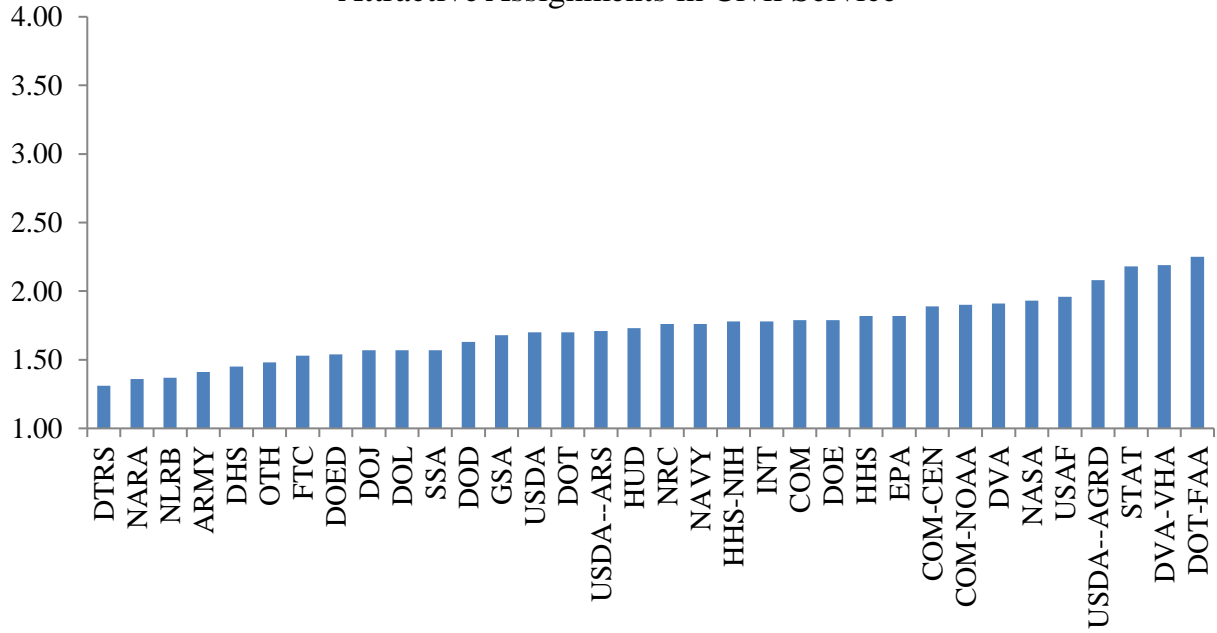


Note: Question wording is "Please indicate your level of agreement with each of the following statements about your work and job setting: Policy decisions concerning my agency are based upon evidence rather than ideological beliefs" (1) strongly agree, (2) agree, (3) disagree (4) strongly disagree.



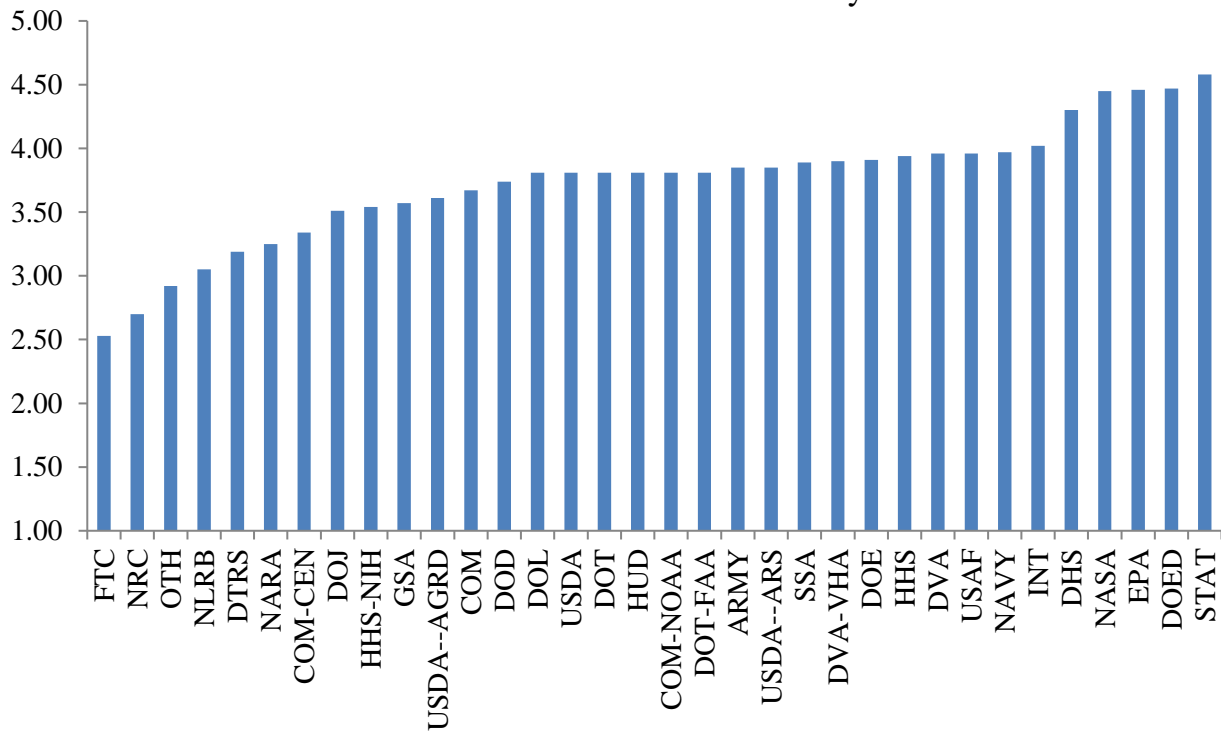
Note: Question wording is "Please indicate your level of agreement with each of the following statements about your work and job setting: Among career managers in my agency I have a pretty good idea of who is a Democrat and who is a Republican" (1) strongly disagree, (2) disagree, (3) agree, (4) strongly agree.

Policy and Political Views Influence Chances of Promotion or Attractive Assignments in Civil Service



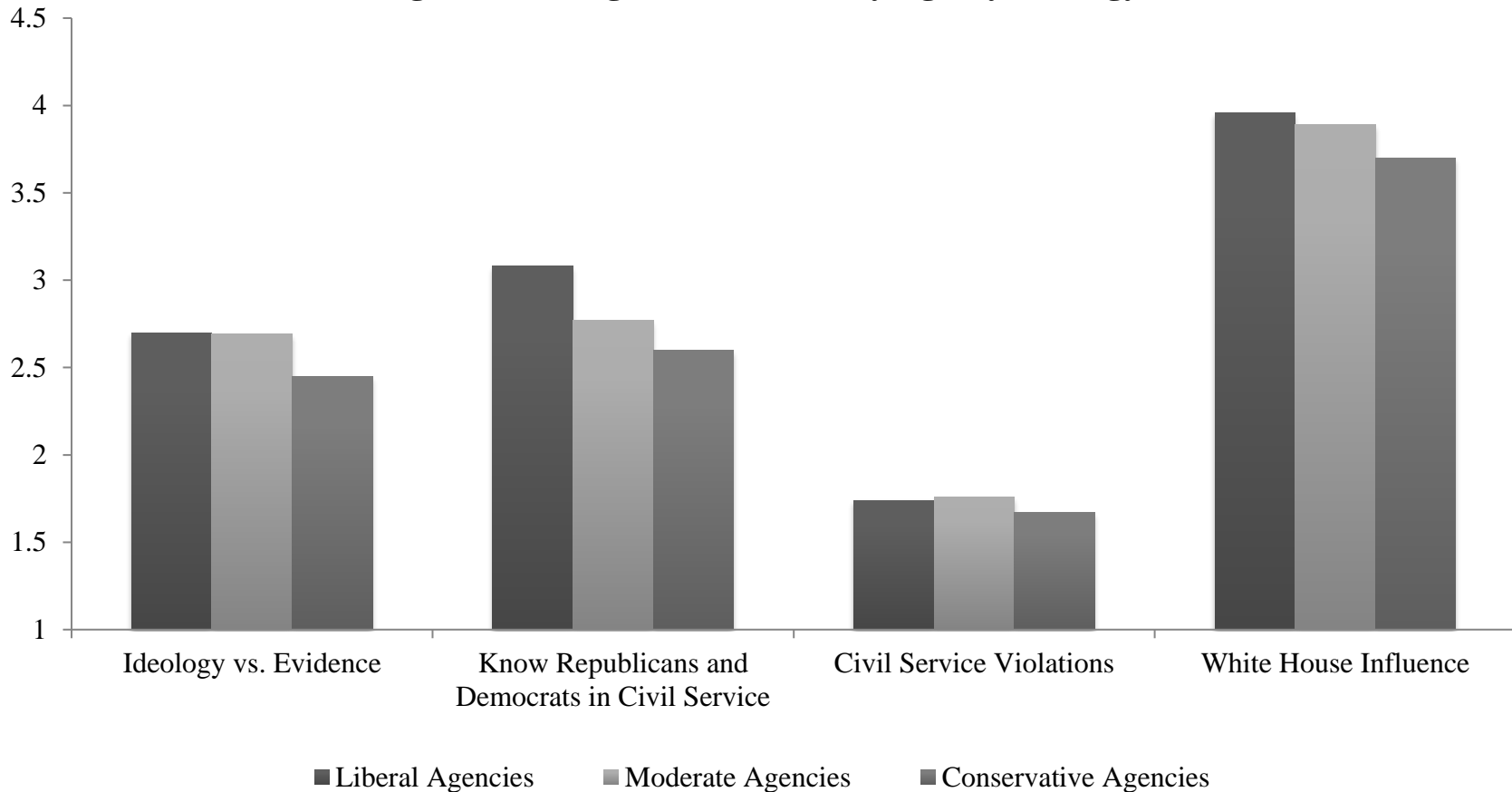
Note: Question wording is "Please indicate your level of agreement with each of the following statements about your work and job setting: In my agency the policy or political views of career professionals at the GS-12 to GS-15 level influences their chances for promotion or attractive assignments" (1) strongly disagree, (2) disagree (3) agree, (4) strongly agree.

Extent of White House Influence Over Policy Decisions



Note: Question wording is "In general, how much influence do the following groups have over the policy decisions in your agency (White House)?" (1) none, (2) little, (3) some, (4) a good bit, (5) a great deal.

Figure 2. Average Politicization by Agency Ideology



Note: Survey on the Future of Government Service (2007-8). All questions follow the following prompt except for the fourth: Please indicate your level of agreement with each of the following statements about your work and job setting [strongly disagree, disagree, agree, strongly agree, don't know]:

Responses recoded so that higher values indicate politicization. Questions recoded so that higher values indicate more politicization.

(1) "Policy decisions concerning my agency are based upon evidence rather than ideological beliefs"

(2) "Among career managers in my agency I have a pretty good idea of who is a Democrat and who is a Republican"

(3) "In my agency the policy or political views of career professionals at the GS-12 to GS-15 level influences their chances for promotion or attractive assignments"

(4) "In general, how much influence do the following groups have over the policy decisions in your agency (White House)?" [(1) None, (2) little, (3) some, (4) a good bit, (5) A great deal.]

References

- Aberbach, Joel D., and Bert A. Rockman. 1976. "Clashing Beliefs Within the Executive Branch: The Nixon Administration Bureaucracy." *American Political Science Review* 70: 456-68.
- . 1990. "From Nixon's Problem to Reagan's Achievement: The Federal Executive Reexamined." in *Looking Back on the Reagan Presidency*, edited by Larry Berman. Baltimore, MD: The Johns Hopkins University Press.
- Bertelli, Anthony, Joshua D. Clinton, Christian Grose, David E. Lewis, and David C. Nixon. 2008. "The Ideology of Bureaucrats, Presidents, and Legislators." in *Annual Meeting of the American Political Science Association*. Boston, MA.
- Clinton, Joshua D., Simon Jackman, and Douglas Rivers. 2004. "The Statistical Analysis of Roll Call Voting: A Unified Approach." *American Political Science Review* 98 (2) 355-70.
- Clinton, Joshua D., and David E. Lewis. 2008. "Expert Opinion, Agency Characteristics, and Agency Preferences." *Political Analysis* 16: 3-20.
- Derlien, Hans-Ulrich. 1996. "The Politicization of Bureaucracies in Historical Perspective." Pp. 149-62 in *Agenda for Excellence 2: Administering the State*, edited by B. Guy Peters and Bert A. Rockman. Chatham, NJ: Chatham House Publishers, Inc.
- Dunn, Delmer D. 1997. *Politics and Administration at the Top: Lessons from Down Under*. Pittsburgh, PA: University of Pittsburgh Press.
- Durant, Robert F. 1992. *The Administrative Presidency Revisited: Public Lands, the BLM, and the Reagan Revolution*. Albany, NY: State University of New York Press.
- Gailmard, Sean, and John W. Patty. 2007. "Slackers and Zealots: Civil Service, Policy Discretion, and Bureaucratic Expertise." *American Journal of Political Science* 51:873-89.
- Goldenberg, Edie N. 1984. "The Permanent Government in an Era of Retrenchment and Redirection." in *The Reagan Presidency and the Governing of America*, edited by Lester M. Salamon and Michael S. Lund. Washington, DC: The Urban Institute Press.
- Gordon, Sanford. 2008. "Assessing Partisan Bias in Federal Public Corruption Prosecutions." New York University.
- Heclo, Hugh. 1975. "OMB and the Presidency--the problem of "neutral competence"." *The Public Interest* 38: 80-98.
- . 1977. *A Government of Strangers: Executive Politics in Washington*. Washington, DC: Brookings.
- Lewis, David E. 2003. *Presidents and the Politics of Agency Design: Political Insulation in the United States Government Bureaucracy, 1946-1997*. Stanford, CA: Stanford University Press.
- . 2008. *The Politics of Presidential Appointments: Political Control and Bureaucratic Performance*. Princeton, NJ: Princeton University Press.
- Light, Paul. 1995. *Thickening Government: Federal Hierarchy and the Diffusion of Accountability*. Washington, DC: Brookings.
- . 2008. *A Government Ill-Executed: The Decline of the Federal Service and how to Reverse it*. Cambridge, MA: Harvard University Press.
- Maranto, Robert. 1998. "Thinking the Unthinkable in Public Administration: A Case for Spoils in the Federal Bureaucracy." *Administration and Society* 29: 623-42.
- Maranto, Robert, and Karen M. Hult. 2004. "Right Turn? Political Ideology in the Higher Civil Service, 1987-1994." *American Review of Public Administration* 34: 199-222.
- McCarty, Nolan M. 2004. "The Appointments Dilemma." *American Journal of Political Science* 48: 413-28.

- McCubbins, Mathew D., Roger Noll, and Barry Weingast. 1989. "Structure and Process, Politics and Policy: Administrative Arrangements and the Political Control of Agencies." *Virginia Law Review* 75: 431-482.
- Moe, Terry M. 1985. "The Politicized Presidency." Pp. 235-71 in *The New Direction in American Politics*, edited by John E. Chubb and Paul E. Peterson. Washington, DC: Brookings.
- . 1989. "The Politics of Bureaucratic Structure." Pp. 267-329 in *Can the Government Govern?*, edited by John E. Chubb and Paul E. Peterson. Washington, DC: Brookings.
- Moe, Terry M., and Scott A. Wilson. 1994. "Presidents and the Politics of Structure." *Law and Contemporary Problems* 57: 1-44.
- Nathan, Richard P. 1975. *The Plot that Failed: Nixon and the Administrative Presidency*. New York: John Wiley.
- . 1983. *The Administrative Presidency*. New York: John Wiley.
- National Commission on the Public Service. 1989. "Leadership for America: Rebuilding the Public Service." Washington, DC.
- . 2003. "Urgent Business for America: Revitalizing the Federal Government for the 21st Century." Washington, DC: Brookings.
- Parsneau, Kevin. 2007. "Politicizing Priority Departments: Presidential Priorities and Subcabinet Nominations," Paper presented at the annual meeting of the Midwest Political Science Association, Chicago, IL, April 12.
- Peters, B. Guy, and Jon Pierre, eds. 2004. *Politicization of the Civil Service in Comparative Perspective*. New York: Routledge.
- Pfiffner, James P. 1996. *The Strategic Presidency: Hitting the Ground Running*. Lawrence: University Press of Kansas.
- Rose, Richard. 1987. "Steering the Ship of State: One Tiller but Two Pairs of Hands." *British Journal of Political Science* 17: 409-33.
- Rosen, Bernard. 1983. "Effective Continuity of U.S. Government Operations in Jeopardy." *Public Administration Review* 43: 383-92.
- Rudalevige, Andrew. 2005. *The New Imperial Presidency*. Ann Arbor: University of Michigan Press.
- Rudalevige, Andrew, and David E. Lewis. 2005. "Parsing the Politicized Presidency: Centralization, Politicization, and Presidential Strategies for Bureaucratic Control." in *Annual Meeting of the American Political Science Association*. Washington, DC.
- Suleiman, Ezra. 2003. *Dismantling Democratic States*. Princeton, NJ: Princeton University Press.
- U.S. Department of Justice, Office of Inspector General and Office of Professional Responsibility. 2009. "An Investigation of Allegations of Politicized Hiring and Other Improper Personnel Actions in the Civil Rights Division." Washington, DC: Department of Justice.
- U.S. Department of Justice, Office of Professional Responsibility and Office of the Inspector General. 2008. "An Investigation of Allegations of Politicized Hiring by Monica Goodling and Other Staff in the Office of the Attorney General." Washington, DC: Department of Justice.
- Waterman, Richard W. 1989. *Presidential Influence and the Administrative State*. Knoxville: University of Tennessee Press.