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Why Public Employees Rebel: Guerrilla Government in the Public Sector

Symposium Article

Abstract: *Employee recalcitrance and employer reprisal are ever-present conditions in public service. Yet we have limited knowledge of the forces that move administrators away from acquiescence and toward antagonism. The authors follow the theoretical thrust of behavioral public administration to better understand administrative behavior by targeting the determinants of guerrilla government actions. They do so by presenting the results of a conjoint experiment embedded in a survey of federal bureaucrats. Findings show that decisions to pursue guerrilla activities are conditional on a multitude of factors—namely, the bureaucrat's personal views of the directive as a policy solution, the compatibility of the directive with the bureaucrat's ethical framework, the status of the person issuing the directive, and the probability that the directive might cause harm to others. Notably, these decisions generally are not affected by the probability of retribution or the expected type thereof. However, they are affected by the magnitude of harm that may ensue if orders are obeyed and not resisted.*

Evidence for Practice

- Ethics matter. When employees see that a policy might contribute to considerable human suffering, the likelihood of guerrilla government activities (“the actions taken by career public servants who work against the wishes—either implicitly or explicitly communicated—of their superiors”) increases.
- Managers should seek to persuade employees of the moral fabric of their decisions, which is one option that may curtail guerrilla government behaviors.
- Managers should be aware that the probability of punishing employees does not significantly deter their acts of guerrilla government.
- Managers should also be aware that the type of retribution employees may suffer does not significantly deter their decision to engage in guerrilla activities.

On September 5, 2018, the political world was rocked by the publication of an op-ed in the *New York Times*. This article, titled “I Am Part of the Resistance Inside the Trump Administration,” was purportedly written by a “senior official in the Trump administration” and claimed that many officials within the administration were “working diligently from within to frustrate parts of [President Trump’s] agenda and his worst inclinations.” The next evening, President Trump seemingly referenced the anonymous letter writer on Twitter, posting a tweet consisting entirely of one word—“TREASON?”¹ One hour later, he more explicitly referenced the letter on Twitter, saying that “the Times must, for National Security purposes, turn him/her over to government at once!”² The next day, in remarks aboard Air Force One, the president said that Attorney General Jeff Sessions “should be investigating

who the author of this piece was because I really believe it’s [important to] national security.”³ Several days later, CNN reported that aides to the president were busy narrowing down the list of possible letter writers, in part because of the president’s “obsess[ion]” with finding the person.⁴ That said, as of the time of this writing, the author has not yet been definitively identified, and no punishment has been meted out.⁵

While the specific outlet—an anonymous op-ed in a major newspaper—was unprecedented, that a senior executive branch official publicly noted his or her dissent with White House policy was not, nor was public retribution by the White House. In fact, the expression of dissent and ensuing reprisals is a behavioral reality within the confines of public service and public organizations. What Rosemary O’Leary (2020) refers to as guerrilla government, or “the actions taken by career public servants who work against the wishes—either implicitly or explicitly communicated—of their superiors” (xi), is part and

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parcel of administration. Even though such resistance should not come as a surprise, it does generate an expected level of concern. Administrative actors are accused of undermining democratic norms when they work against their constitutional superiors, agency heads, and immediate supervisors or oppose rules, regulations, and red tape.

We do not fully understand the foundations for behavioral dynamics that push administrators away from complying with centralized orders issued by their superiors or from formalized rules that prescribe action. Why administrators resist spoken commands, formalized regulation, and red tape is not entirely clear. This lack of knowledge about the underlying factors that contribute to administrative action has tended to be partly overlooked not only in the guerrilla government area but in the field more generally. In fact, the movement behind behavioral public administration (BPA) seeks to explore and examine administrative behavior, especially on an individual level (Battaglio et al. 2019; Grimmelikhuijsen et al. 2017). To compensate for this, we conduct an investigation into how microfoundations, or explanations of the behavior of individual agents, provide “micro” or individual-level foundations for broader theories and fit into the emerging area of BPA. One way to understand how individuals behave is to focus on how frameworks that are informed by bureaucratic politics, ethics, and organization and management shape individual-level behavior. Variations in this individual-level behavior can provide microfoundations for behavior-oriented theories of public administration.

As other articles in this symposium (e.g., Christensen et al. 2020; Hattke, Hensel, and Laucza 2019; Keiser and Miller 2020; Linos and Riesch 2019) illustrate, the scope of possible behavioral microfoundations is quite broad, and to address all possible ones is beyond the scope of any single article. To begin the process of parsing out administrative behavior, we focus on O’Leary’s insights into how guerrilla government action is processed through bureaucratic politics, ethics, and organization and management. Furthermore, the capacity to glean behavioral insights into guerrilla government can bolster a key aim of O’Leary’s research—providing knowledge of how to manage dissent. Without a more concrete understanding of how and why administrators dissent, it is difficult to ascertain how to supervise employee defiance in a productive manner or whether it is even possible.

As a result of this information gap, we are not exactly aware of whether personal, ethical, or policy preferences push administrators to be more likely engage in disruptive behaviors. And, we are not sure whether the *likelihood of retribution* scares off administrators or whether it has any effect at all. We are also not sure whether the *type of retribution* hinders guerrilla activities or even promotes them. The ability to begin parsing out the behavioral tendencies of guerrilla activity provides a contribution to not only understand the ethical conditions under which public servants choose to engage in guerrilla activities and the political tactics they prefer but also deepen the knowledge base of how to manage dissent.

To better understand what motivates individuals to engage in guerrilla government, we present the results of a conjoint experiment embedded in a survey of federal employees. We find that decisions to obey orders and/or engage in guerrilla government are dependent on many factors, including the personal views of

the policy the respondent is asked to enact, the compatibility of the proposed policy with the respondent’s ethical framework, the probability that others will be harmed by the policy, and the status of the person making the request. Notably, we find that the probability and type of expected retribution for disobedience and/or guerrilla government has a substantively small effect on respondents’ decisions. These results provide important context to previous studies of guerrilla government—which we discuss later—as well as studies of bureaucratic politics more generally. As mentioned, they also provide insights that may be useful for theoretical development and refinement within the burgeoning research area of BPA. Finally, our results provide concrete information for public managers to use in managing dissent.

Guerrilla Government

Engaging in guerrilla government activity is serious. The choice to give voice demystifies the neutrally competent civil servant and exposes an agential-directed civil servant with an agenda (Wamsley 1990). Within this agential dimension, civil servants can behave in a way that is intended to undermine and challenge their superiors. The tactics employed by such administrators, according to O’Leary (2017; 2020), are best framed through three interdependent lenses: bureaucratic politics, ethics, and organization and management. Each of these lenses come together to provide a deeper insight into guerrilla government behavior.

Bureaucratic Politics

A core feature of administrative behavior is how often management fails to secure employee acquiescence. To curb the perceived problem of acting against priorities from above, Barnard (1968, 169) proposes creating a zone of indifference in which orders are “unquestionably acceptable.” Simon (1997) refines this area of indifference to one of active acceptance, and Kaufman (2006, 91) polishes this process even further, noting that organizations leverage employee buy-in by establishing “decisions [that] are preformed” and then expecting administrators to carry them out. While Barnard, Simon, and Kaufman sought to understand how administrative behavior could be controlled through rules to ensure predictable and rational results, they also recognize that individuals tend to push back. Divergence is expected (Gofen 2014).

The discrepancy in how policy is implemented is of particular salience in a public administration context (Wilson 1989). Even though employees who work in private firms may share some of these problems, civil servants in public organizations are uniquely entrenched in a constitutional framework designed to promote struggle (Rohr 2002). The result of administration being embedded into a system that creates skirmishes means that civil servants are political actors who participate in the pulling and hauling process of determining the allocation of resources (Allison and Zelikow 1999). They are expected to respond to different needs of clients (Maynard-Moody and Musheno 2003), contextual goals driven by politics and law (Wilson 1989), and divergent demands from constitutional superiors (Rohr 2002).

Ethics

While this discretionary power enables administrators to fulfill a political role, it also empowers them to be moral agents who decide how to use their agency in a proper way. For O’Leary, ethics involves

more than just thinking about right and wrong—it includes “doing right, not wrong” (2020, 21). At a general level, administrators may serve in this capacity by internalizing the ethos of the Constitution’s checking function by pushing back against abusive and authoritarian actions (Spicer 1995) and assuming the role of a trustee (Miller and Whitford 2016). Their guerrilla acts can be grand overtures that try to fundamentally change a governmental entity or policy (Newswander 2012), or they can be small in scope, guiding issues of public importance such as finding justice for someone who has been abused by public officials (Newswander 2015).

At a specific level, administrators can employ a range of guerrilla tactics, such as rule bending (Borri 2017; DeHart-Davis 2007) and whistle-blowing (Near and Miceli 1996), to do what is right. Since guerrilla government activities deal broadly with working against the wishes of supervisors, administrators can pull out tools, such as bending rules or blowing the whistle, as they pursue a task of resistance. DeHart-Davis notes that civil servants push boundaries by rule bending or “depart[ing] from rules and procedures” (DeHart-Davis 2007, 893). While there are a range of conditions that motivate civil servants to exhibit such “rebellious behavior,” (DeHart-Davis 2007, 900), Borri (2017) argues that an ethical climate is associated with rule bending. Rules are bent in order to guard organizational priorities and to help fellow colleagues. Meanwhile, DeHart-Davis (2007) argues that civil servants who score on high on public service motivation are less likely to bend rules; this may be because “individuals who indicate commitment to public service have been indoctrinated to the ‘ethic’ of consistent rule application” (900). Taken together, these findings suggest that ethical orientations play a role in pushing or constraining acts of guerrilla government.

Like rule bending, whistle-blowing can also be motivated by ethics. However, this is not to reduce or conflate the two; civil servants blow the whistle for ego, politics, favor swapping, revenge, trail-balloons, and so on (Hess 1996). While whistle-blowing is a multidimensional concept, an important consideration is that civil servants can vocalize dissent on the basis of what they think is right. For example, civil servants who score high in public service motivation are more likely to be whistle-blowers (Caillier 2017; Cho and Song 2015). Lavena (2016) adds to these ethical findings, noting that whistles are blown to achieve norms such as respect and fair treatment. And Caillier (2017) points out that the level of harm matters in deciding whether to raise an alarm. The seriousness of wrongdoing and whistle-blowing are positively associated with each other.

However, the prospect of retaliation may dampen the probability of dissent. Although Near and Miceli (1996) find that whistle-blowing is not affected by the threat of retaliation, they acknowledge that case studies have shown retribution to be an indicator of whether someone is likely to blow the whistle. It seems employees in positions of power are less likely to be punished, whereas those in less secure positions are more likely to feel the wrath of their superiors (Miceli and Near 1992; Near and Miceli 2008). Additionally, it is not just those in lower positions who feel vulnerable to retribution; fear of retaliation also affects the ability of minorities to express their grievances through whistle-blowing (Caillier 2012). At a general level, Cho and Song (2015) look at how federal employees are affected by this dilemma, finding a

negative association between personal costs and whistle-blowing; this suggests personal harm may affect the choice to give voice. In parsing out these distinctions, what is critical is highlighting the tendency of administrators to disclose information as one way to achieve matters of public concern, and some constraints that exist which discourage administrators from doing so.

Organizations and Management

Although ethics appears to be a contributing factor to guerrilla government activities, there is still the influence of organizations and management, which also helps explain dissent (or the lack thereof). Civil servants are expected to comply with their political and bureaucratic bosses while also adhering to prescribed rules and routines (Miller and Whitford 2006). As a result, the structure of power, rather than morality concerns, might be the primary factor motivating dissent. Wilson (1989) notes that when goals are unclear and rules are imprecise, administrators are emboldened to rely more on their personal beliefs. In contrast, rules can also be precise and predictable; such rules can turn into unnecessary extensive red tape, which can undermine organizational and even public ends (Bozeman 2000; Bozeman and Feeney 2011). To avoid creating an environment that allows administrators to push back—which may lead to arbitrary rule—Kaufman (1977; 2015) suggests that rules—even ones that devolve into red tape—push administrative behavior toward accountability of preformed decisions. After all, administrators are less likely to push back against formalization and are more likely to resist centralization (DeHart-Davis 2007). Yet Borri (2017) finds no impact between formalization and rule bending and even a negative association between centralization and rule bending. On a related front, centralization may hamper administrative self-sacrifice, while decentralization may actually energize it (Zarychta et al. 2019).

This review of the literature points to some interesting puzzles related to guerrilla government. First, it is clear that public servants who choose to rebel have a number of tools at their disposal. Broadly speaking, the literature suggests that failure to comply with rules, advising superiors, or whistle-blowing are all forms of dissent in the public workplace. Second, the literature is unclear about why bureaucrats might rebel. Public service motivations, individual ethics, the structural organization of the workplace, the amount of red tape, and both the probability and type of retribution may influence a public servant’s propensity for engaging in some form of dissent. As a whole, these findings highlight that administrators are agential. The guerrilla government lenses of bureaucratic politics, ethics, and organizations and management point to civil servants who can and often do go their own way, even if that means going against one’s political superiors or regulations. Taken together, the aforementioned literature suggests several possible testable hypotheses with respect to *when* bureaucrats are likely to engage in guerrilla government, and when they are likely to comply.

Hypothesis 1: The more a proposed policy is viewed as congruent with public servants’ code of ethics, the less likely they are to engage in guerrilla government activity.

Hypothesis 2: The more a proposed policy is viewed as congruent with public servants’ code of ethics, the less likely they are to engage in guerrilla government activity.

Hypothesis 3: The higher the probability that public servants will face retribution for dissent, the less likely they are to engage in guerrilla government.

Hypothesis 4: The higher the probability the public will be harmed by a policy proposal, the more likely public servants will be to engage in guerrilla government.

Hypothesis 5: The higher the rank of the person making the request, the less likely public servants will be to engage in guerrilla government.

Hypothesis 6: The higher the severity of retribution for disobedience, the less likely public servants will be to engage in guerrilla government.

We test these hypotheses using an innovative empirical design, which we describe in the next section. Importantly, this design is also well suited to (hopefully) uncover exactly *what sorts of dissent* are more likely given different circumstances.

Data and Methods

Study Design

Participants. Our sampling frame consists of government employees, whose information—including name and agency—were scraped from the federal salary database (<https://www.fedsdatacenter.com/federal-pay-rates/>) during April 2017; work emails were then constructed based on the name, agency, and email format(s) used in the relevant agency. Constructed email addresses were pinged in August 2017 to ensure accuracy, and the resulting sample consists of employees from 95 federal departments and agencies, the vast majority of which are not related to national security.⁶ This innovative approach to sampling federal government employees has costs and benefits. The primary benefit is that we are able to reach many more federal government employees than any prior external research has included in their sampling frame. The chief costs are that the federal government did not sanction the survey, the survey length (15–20 minutes), and that we requested employees complete the survey without any compensation. Ultimately, 6,848 federal employees began our survey of which 44.5 percent (3,053) completed the entire survey.⁷

Procedure. Rather than create several separate experiments manipulating each scenario that might motivate public servants to rebel in turn, we opted for a conjoint experimental design because it

allows us to see how each treatment works in conjunction with each other (Hainmueller, Hopkins, and Yamamoto 2014).

Table 1 describes each treatment to which a participant might be randomly exposed, and figure 1 provides one example of what might have been seen by a participant in the survey.⁸

After viewing the two scenarios, respondents were presented with a list of possible responses from which to choose. These include the following: follow the instructions, delay compliance for as long as possible, directly inform the person the decision is wrong, contact a member of the press and tell them what happened, or leak the information to an anonymous public source (such as WikiLeaks). For each possible response, as figure 2 indicates, respondents were asked to indicate whether they were more likely to have that response in scenario 1 or scenario 2, keeping in mind they might not choose to do any of these.

Following this, they were asked to tell us the probability of doing each action presented in the scenarios; an example of this is presented in figure 3.

This experimental design allows us to isolate the effects of the different treatments while maintaining a balance of internal and external validity. Full randomization means that regression can be used to recover the treatment effects, and the experiment will have higher degrees of realism compared with other experiments that simply vary a single dimension (Bansak et al. 2017; Hainmueller, Hopkins, and Yamamoto 2014).⁹

Methods

As we are using a conjoint experiment in our analysis, we estimate average marginal component effects (AMCEs), per the recommendations of Hainmueller, Hopkins, and Yamamoto (2014). AMCE is an estimate of the average extent to which a particular scenario component (e.g., the requester, the respondent’s ethical conflicts, etc.) affects the dependent variable. Hainmueller, Hopkins, and Yamamoto (2014) show that AMCEs can be estimated by regressing the dependent variables on sets of indicator variables measuring the levels of each attribute: for example, *Ethics-Completely Violates*, *Ethics-Mostly Disagrees With*, *Ethics-Is Unrelated To*, and *Ethics-Is In Line With* would be included as independent variables in such a regression to capture the effect of the *Ethics* treatment, with *Ethics-Reinforces* as the baseline category. In this case, the coefficients recovered using ordinary least squares (OLS) estimation would represent the AMCEs.¹⁰

Table 1 Possible Treatments in the Conjoint Experiment

Person Treatment	Ethics Treatment	Policy Treatment	Scope Treatment	Retribution Probability Treatment	Retribution Type Treatment
Person Making the Request is [TREATMENT]	The proposed policy [TREATMENT] your personal code of ethics	You think that the policy is [TREATMENT] solution to a problem	If you follow the instructions, there is [TREATMENT] probability that many lives will be negatively affected	If you do not follow the instructions, there is [TREATMENT] probability that the person making the request will find out what you have done	Should you choose to disobey the instructions, you are likely to be [TREATMENT]
Coworker	Completely violates	The best possible	A small	A small	Immediately terminated
Immediate supervisor	Mostly disagrees with	An appropriate	A decent	A decent	Written up
Agency appointee	Is unrelated to	An unwise	A high	A high	Praised by outsiders as a whistle-blower
U.S. president	Is in line with Reinforces	The worst possible	An almost certain	An almost certain	Blacklisted

It is possible that you would never have to make a choice like the one we are about to present to you. Some of the scenarios may even seem impossible. However, we are interested in what you would do if you had to make a choice like this one. Remember that your responses to this are strictly anonymous.

Scenario 1

Imagine the **President of the United States** asked you to implement a policy that **mostly disagrees with** your personal code of ethics. In your opinion, the policy is **an unwise** solution to the problem. If you follow the instructions, there is a **high** probability that many lives will be negatively affected. If you do not follow the instructions, there is a **decent** possibility that the person making the request will find out what you have done. Should you choose to disobey the instructions, you are likely to be **written up**.

Scenario 2

Imagine **your immediate supervisor** asked you to implement a policy that **is unrelated to** your personal code of ethics. In your opinion, the policy is **an appropriate** solution to the problem. If you follow the instructions, there is a **almost certain** probability that many lives will be negatively affected. If you do not follow the instructions, there is a **decent** possibility that the person making the request will find out what you have done. Should you choose to disobey the instructions, you are likely to be **written up**.

Brief Summary of the two scenarios:

	<u>Scenario 1</u>	<u>Scenario 2</u>
<i>Requested by:</i>	the President of the United States	your immediate supervisor
<i>Ethics:</i>	mostly disagrees with	is unrelated to
<i>Your Personal View:</i>	an unwise	an appropriate
<i>Probability of Harm:</i>	high	almost certain
<i>Probability of Retribution:</i>	decent	decent
<i>Type of Retribution:</i>	written up	written up

Figure 1 Conjoint Treatment as Seen by the Respondents

In the present context, we estimate models using five dependent variables—*Obey the Directive*, *Confront Requester*, *Delay Compliance*, *Contact Press*, and *Leak Anonymously*—that are each operationalized in two different ways: a *forced choice* operationalization and a *continuous rating* operationalization. For all dependent variables, the forced choice operationalization is a binary variable indicating whether respondents indicated they would take the indicated action in the forced choice question, and the continuous rating operationalizations indicate the likelihood of respondents taking the action; as the latter is rescaled to a [0,1] interval, we interpret this as tantamount to the probability of taking the action in question.¹¹

Results

Consistent with some of the literature, the strongest predictors of employing guerrilla government tactics are the extent to which the policy violates an individual's code of ethics and whether the person thinks that the proposal is a good idea. Each panel in figure 4 presents the estimated effects on the probability—relative to the indicated baseline for that category—that the respondent will obey (in the leftmost-panels) or otherwise engage in the indicated form of guerrilla government.¹² The top panel provides the estimates for the forced choice questions, and the bottom provides the estimates for the [0,1] indicators.¹³

Below is a list of possible responses a person might have to the above scenarios. Keeping in mind that you might not choose to do any of these, please indicate if you are **more likely** to have that response in Scenario 1 or Scenario 2. Please make a selection for each possible response.

	Scenario 1	Scenario 2
Follow the instructions.	<input type="radio"/>	<input type="radio"/>
Delay compliance for as long as possible.	<input type="radio"/>	<input type="radio"/>
Directly inform the person that the decision is wrong.	<input type="radio"/>	<input type="radio"/>
Contact a member of the press and tell them about what happened.	<input type="radio"/>	<input type="radio"/>
Leak the information to an anonymous public source (like Wikileaks).	<input type="radio"/>	<input type="radio"/>

Figure 2 Conjoint Forced Choice Responses

On a scale from 0 to 10, where 0 indicates that you would absolutely not and 10 indicates that definitely would, how likely would you be to *leak information to an anonymous source* in each of the scenarios?

Absolutely Would Not											Definitely Would
0	1	2	3	4	5	6	7	8	9	10	
Scenario 1											
<input type="range"/>											
Scenario 2											
<input type="range"/>											

Figure 3 Conjoint Continuous Rating Responses

Compliance

Focusing on the leftmost-panels of figure 4, we first examine the probability that someone will obey the direction given the various treatments. Foremost, we find that individual attitudes about the policy have the strongest influence on the probability of compliance, and of these, an individual's personal ethics has the strongest influence on compliance. Relative to the baseline of thinking a proposed policy is "the best" solution to the problem, a public servant who thinks it is "the worst" approach to the problem is 17 percentage points less likely to obey, 18 percentage points more likely to confront the requester, and 13 percentage points more likely to delay compliance. In short, public managers should expect some form of noncompliance from public servants who disagree with a policy. In contrast to those who disagree, public employees who agree with a policy are more likely to obey and less likely to engage in noncompliance.

Relatedly, public employees who are asked to do something that violates their personal code of ethics will not comply with those directives. They may choose to delay compliance as long as possible, inform the requester that the decision is wrong, or deliberately

disobey, but the pattern of findings presented in figure 4 is absolutely clear. Public servants who are asked to do something that disagrees with or outright violates personal ethics are less likely to be obedient and compliant than when they are asked to do something that is in line with—or even reinforces—their personal ethics. For example, when asked to do something that completely violates their ethics—as opposed to something that reinforces them—public employees are 14 percentage points less likely to obey, 14 percentage points more likely to inform the requester that the decision is wrong and 14 percentage points more likely to delay compliance as long as possible.

In addition, when public servants think that the instructions will cause harm, they are less likely to comply with the directive. In fact, the difference between a "decent" chance of harm and an "almost certain" probability of harm does not significantly change the probability of dissent; rather, the key distinctions are between a "small" chance of harm and anything greater. In absolute terms, the probability of obeying is 12 percentage points lower if there is an "almost certain" probability of harm and 8 percentage points

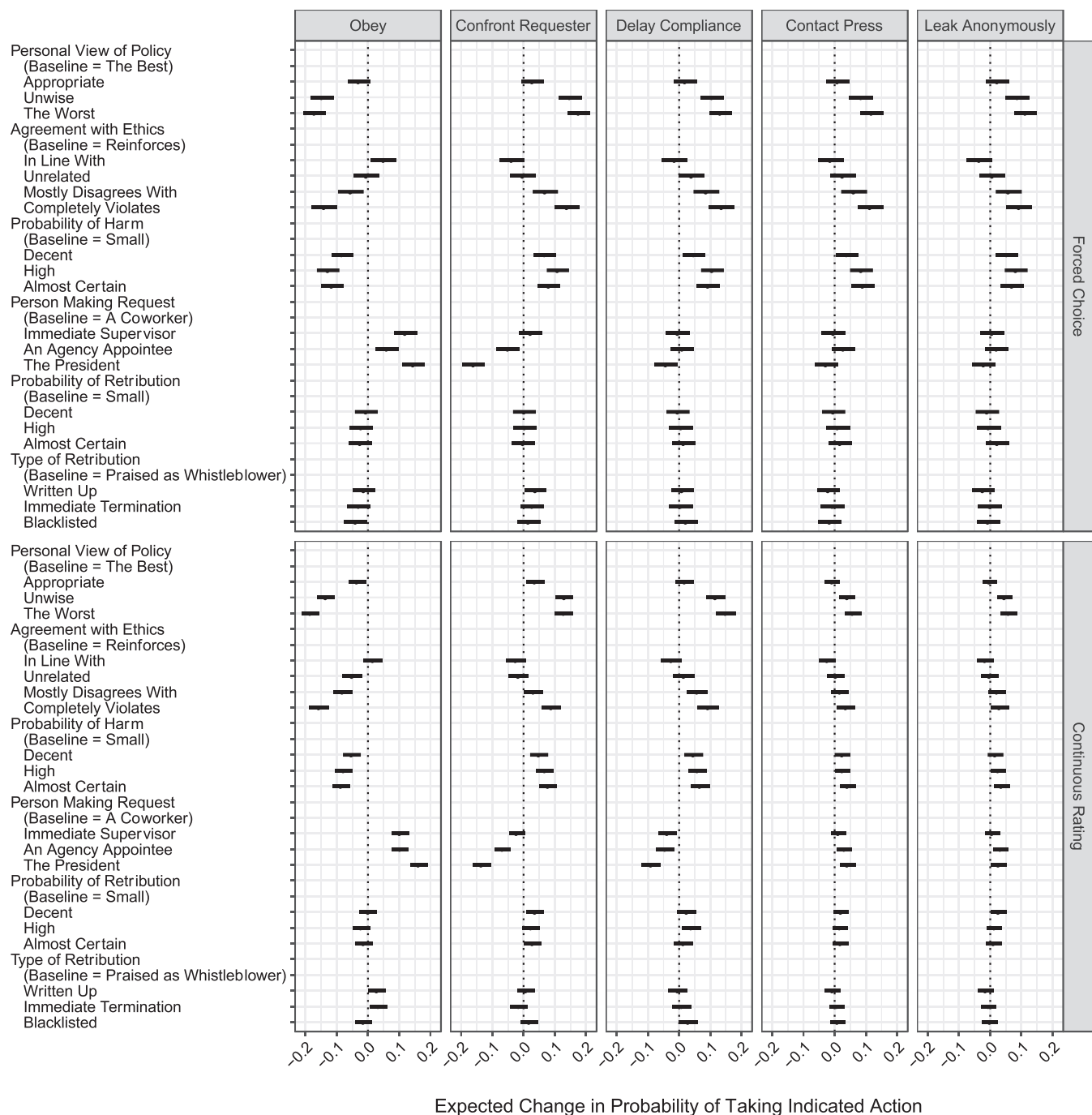


Figure 4 Estimated Average Marginal Component Effects (AMCEs)

lower if there is an “decent” chance of harm than if there is a “small” probability of harm. Similar results are found when looking at confrontation and delay, with greater perceived probabilities of harm corresponding to greater likelihoods of noncompliance.

The status of the person making the request has a significant influence on compliance. If the instruction comes from the president, public employees are 15 percentage points more likely to obey and 16 percentage points *less* likely to inform the president that the decision is wrong than if the request comes from a coworker. We note the significance of this finding. It makes sense that public employees would be less likely to give the president their informed opinion, but we think it is meaningful that public servants

are more likely to comply with instructions from the president than from their immediate supervisors. In contrast, public employees are more likely to comply with instructions from an agency appointee or immediate supervisor than they are with requests from a coworker.

Finally, we find little evidence that possible punishment has any consistent substantive effect. In the forced choice scenario, we find no consistent evidence for the proposition that the type of retribution or the probability of retribution makes public servants more compliant. Those who will be written up or immediately terminated if they do not comply are less likely to obey than if they might be praised as a whistle-blower, though the difference is

not statistically significant; however, those who are blacklisted are about 4 percentage points less likely to obey. The findings from the continuous ratings are nearly identical, but we do note that in this scenario those who might be terminated or written up are about 3 percentage points more likely to obey than those who might be praised as a whistle-blower. We are cautious to make too strong a conclusion about this result, because (as we noted previously) the continuous rating may be more susceptible to social desirability bias.

In all, these findings clarify the role of retribution, position, and individual attitudes on the probability that a public employee will comply with instructions from superiors. Although the threat of retribution might minimally motivate compliance, public managers who help employees buy in to instructions will engender greater compliance from their employees. People are more likely to comply with instructions they believe to be correct, regardless of the consequences. Rather than inventing new ways to punish people for failure to comply, it may be more effective to spend time persuading employees of the merits of a particular course of action. Open discussion on the ethical considerations of a policy likely does more to invoke compliance than threats of termination.

Whistle-Blowing

Not all forms of guerrilla government are the same. In absolute terms, public employees are clearly less likely to contact the press or leak to an anonymous source than they are to delay compliance or advise their superior about the problems with the request. When it comes to whistle-blowing, public employees are, on average, about as likely to contact the press as they are to leak to some other anonymous source (like WikiLeaks), yet there are some conditions that make it more likely that a public employee will leak to the press.

First, the scope of the policy matters, especially with ethical matters. When the probability of harm is small, public servants are significantly less likely to leak to the press or other anonymous sources. However, as the scope climbs from small, to almost certain, the probability of leaking to the press increases by 8 percentage points and the probability of leaking to another anonymous source increases by 6 percentage points. It makes sense that as the scope increases, public servants will look to the press as an outlet to express concern about directives that might cause public harm. Therefore, one thing public managers can do is recognize the ethical component to whistle-blowing; whenever a reasonable probability of public harm exists, the probability that public servants will leak to the press or other anonymous sources increases.

Second, public servants' opinions are important. When public employees disagree with the proposed policy change, they are more likely to leak to the press or another anonymous source. Public employees who think that a policy proposal is "the worst" are 11 percentage points more likely to go to the press and 10 percentage points more likely to leak information to another anonymous source than those who think that a course of action is "the best" solution. Effects are still substantively and statistically significant—though slightly weaker—if we set the baseline level of approval to be thinking a particular course of action is an appropriate solution to a problem.

Third, ethics makes a difference. When a policy proposal conforms to an individual's code of ethics, they are significantly less likely to

leak information. When asked to implement a policy that mostly disagrees with their code of ethics, a public employee is 6 percentage points more likely to go to the press and 5 percentage points more likely to leak to another anonymous source than he or she would be if the policy reinforces their code of ethics. Although we cannot say what it is that causes a policy to violate an employee's personal code of ethics, these results suggest that public employees are more likely to whistleblow when directives violate their ethics. Even though this is not the only reason employees leak, ethical considerations are an important factor.

Finally, we do not find that individuals disproportionately favor one set of guerrilla tactics over others in response to the various treatments.¹⁴ The marginal effect sizes for the various forms of resistance are surprisingly similar. The options for rebellion in this study do not contain the entire universe of ways in which one might rebel, nor are the options equivalent. Choosing to leak to the press will have entirely different consequences associated with it compared with an individual choosing to sabotage an administrative directive from within. Yet in this study, the probability of a respondent selecting one of these scenarios relative to another is almost equivalent. The results from a single study limit the conclusions we can infer from this, but these findings suggest that future work ought to consider a broader range of activities in which public employees might engage as acts of rebellion and elucidate the probability of these alternative forms of rebellion.

Administrative Lessons

To better understand the causes of guerrilla government, this article presented the results of a conjoint experiment embedded in a survey of federal bureaucrats. We find certain microfoundations of behavior that influence decisions to engage in guerrilla government (or obey potentially questionable directives). Yet these perceived choices on an individual level are conditional on a multitude of factors—namely, the bureaucrat's personal views of the directive as a policy solution, the compatibility of the directive with the bureaucrat's ethical framework, the status of the person issuing the directive, and the probability that the directive might cause harm to others. Notably, these decisions generally are *not* affected by the probability of retribution or the expected type thereof (at least when considering the types of retribution explicitly mentioned in our experiment).¹⁵

These results provide important context for O'Leary's (2020) guerrilla government thesis, as they reinforce theoretical assumptions about dissent and reveal a consistent pattern of perceived behavior that can be useful for public managers hoping to motivate compliance and deter guerrilla government. An important reminder, and a key background assumption of guerrilla government, is an implied rejection of the unitary executive theory (Calabresi and Yoo 2008) and the politics-administration dichotomy (Overeem 2005). Administrators cannot be merely reduced to a one-dimensional status of being an instrument for the president or any constitutional superior; they are active, but definitely not coequal, participants in governing. Because of their engaged status and potential for dissent, management needs additional information on how to deal with the complexities of overseeing civil servants. In particular, focusing on the specific guerrilla tactic may prove futile, since the marginal changes in the likelihoods of each type of tactic under analysis were

approximately equal to one another. Instead, we join O’Leary’s recommendation that public managers must cultivate a spirit of dissent that is bounded. Administrators must listen, create channels for voices to be heard, and legitimately consider opposing views while also recognizing that there are limits of how far push back can go.

Moreover, we reaffirm O’Leary’s recommendations that public managers should focus their attention on persuading employees regarding the merits of new proposals, especially if that policy proposal has the potential for harm. To the extent that public managers convince their subordinates that the policy is both “the best approach” and ethically moral, they should be better able to ensure compliance and deter these forms of guerrilla government. It also shows respect. Management should not have a dismissive, arrogant attitude that demands compliance; treating people as objects is bound to backfire. Taking the time to put forward a well-reasoned case for administrative practices to employees that considers ethics and pragmatism may limit the scope and depth of insubordination.

Given the importance of ethics and the status of the requester to the decisions to obey or engage in guerrilla government, future research should use ethical frameworks and how they shape individual behavior to develop microfoundations for behavior-oriented theories of public administration. The roles of emotion, personality, and public service motivation should be examined in concert with ethical frameworks as potential interactive factors (Guy, Newman, and Mastracci 2014). For example, it seems plausible that those experiencing more negative emotions at the time a directive is issued—or those with more emotionally unstable or less agreeable personalities (for example)—might react more strongly to perceived violations of ethical norms. Or, looking at what triggers specific emotions may further explain why administrators act out. In fact, Hattke, Hensel, and Lalucza (2020) have already found that disruptions due to red tape sparks emotional angst and anger. Moreover, considering the role of ethical frameworks might help further contextualize recent findings suggesting that individuals with greater public service motivation are more likely to engage in whistle-blowing, especially in cases of particularly serious wrongdoing (Caillier 2017).

Ideally, we would provide some estimate of the overall proportion of individuals in our study who choose guerrilla government activities over compliance. Unfortunately, our design asks respondents to choose from or rate hypothetical profiles that combine multiple attributes, enabling researchers to estimate the relative influence of each attribute value on the resulting choice or rating (Hainmueller, Hopkins, and Yamamoto 2014). Because we only know how likely a respondent is to choose one option relative to another option, we cannot estimate the overall proportion of respondents who would engage in these kinds of activities. We encourage future research that will overcome this shortcoming with a design that can specifically estimate the proportion of public servants who engage in guerrilla government.

Apart from possible next steps of how to examine the microfoundations of guerrilla government, this study affirms the complexities that underlie dissent and what lessons managers can learn when interacting with recalcitrant employees. It is on this front that our study provides important and useful information

to help guide managers in understanding the motivations and reasons of why people choose to resist. They should be aware that their various forms of coercive power to punish does not act as a significant deterrent. Furthermore, the likelihood of management using these forms of coercive power also does not act as a significant deterrent. With this information, they can be steered toward the practices of engaging, listening, responding, and even persuading their employees rather than attempting to control them through threats of punishment. The disclosure of how civil servants expect to behave in the context of dissent imparts a contribution that provides a bit more texture to the theory and practice of public administration.

In a broader sense, the articles in this symposium point to meaningful avenues for future research in BPA. The manner in which rules are communicated (Hattke, Hensel, and Lalucza 2020), the amount of administrative burden they place on recipients of program benefits (Keiser and Miller 2019), and recipients’ levels of cognitive resources (Christensen et al. 2019) influence public evaluations of the legitimacy and value of public programs and policies. It is likely that public employees engage in similar processes when evaluating directives from their superiors. If so, future research should examine public employees’ emotional responses to directives they receive from their superiors—perhaps in conjunction with their own cognitive resources—and examine how they affect compliance with those directives. Furthermore, Linos and Riesch (2020) expand on our results and show that another way to motivate compliance is to simplify processes. Clearly our study does not cover the entire universe of situations that motivate public employees to rebel. Simplification can also induce compliance to rules. Future research might consider other scenarios that motivate public employees to comply.

Notes

1. <https://twitter.com/realdonaldtrump/status/1037464177269514240>.
2. <https://twitter.com/realDonaldTrump/status/1037485664433070080>.
3. Jeremy Diamond and Kaitlan Collins, “Trump Wants Sessions to Investigate New York Times Op-Ed,” CNN, September 8, 2018, <https://www.cnn.com/2018/09/07/politics/donald-trump-jeff-sessions-investigation/index.html> [accessed October 25, 2019].
4. Jim Acosta and Sophie Tatum, “White House Aides Narrow Search for Anonymous Op-Ed Writer to a Few People, Source Says,” CNN, September 9, 2018, <https://www.cnn.com/2018/09/07/politics/white-house-op-ed-writer-search/index.html> [accessed October 25, 2019].
5. That same month also witnessed other newsworthy instances of “guerrilla government.” For example, on September 11, Robert Woodward’s book *Fear: Trump in the White House* was released, in which he chronicled several high-ranking Trump administration officials speaking—with various degrees of anonymity—about how their interactions with the president and ways in which they engaged in “guerrilla government,” including removing papers from the president’s desk to prevent him from signing them, delaying implementation of his orders, and the like (Woodward 2018). Additionally, on September 21, the *New York Times* reported that shortly after President Trump’s dismissal of former Federal Bureau of Investigation director James Comey in the spring of 2017, Deputy Attorney General Rod Rosenstein had suggested he surreptitiously record his conversations with the President and discussed invoking the Twenty-Fifth Amendment to remove him from office (Goldman and Schmidt 2018).
6. Because of redactions and problems with pinging, some notable agencies—such as the Departments of Defense and Energy, as well intelligence agencies—are omitted from our data. This necessarily limits the scope of our inferences to

agencies not focused primarily on national security or related concerns. Future research should examine whether guerrilla tactics and/or responses differ for agencies omitted in the present analysis.

7. Our sample consists of 460,369 employees from 95 federal departments and agencies. Because of servers at some agencies marking our invitations as spam, we estimate that 60 percent of the 458,000 email invitations we sent did not make it to the inboxes of the intended recipients. In the end, 6,848 federal employees began our survey (3.7 percent response rate), of which 46.9 percent (3,213) completed the conjoint experiment portion of the survey and 44.5 percent (3,053) completed the entire survey. Complete details about the survey, including tables comparing this survey to other surveys on key demographics, are in the appendix in the Supporting Information online.
8. Importantly, the texts in the two scenarios are identical outside of that related to the treatments (those words in boldface). This is to facilitate comparisons between the two and ensure that any variation in response is solely due to variation in treatments.
9. We included Kim's (2011) abridged public service motivation (PSM) scale in the survey, and item-level aggregate responses for our survey—both for all respondents who reached the PSM module as well as those who completed the survey—are broadly in line with the results from his initial analysis (results are in the appendix). This suggests that our relatively low response rate is not due to respondents with inordinately low (or high, given Cho and Song's (2015) and Caillier's (2017) findings regarding the relationship between PSM and rule bending) levels of latent PSM being more likely to select into the study, which gives some credence to the idea that we are not simply oversampling those more likely to engage in "guerrilla government" in the first place.
10. The AMCE can be thought of as analogous to a regression coefficient in an OLS model, in that it presents the average difference in predicted probability of choosing a particular action—for example, to obey—given different component-level treatments. For example, consider the comparison in figure 1 and the requested responses figures 2 and 3. The respondent in question is implicitly rating two profiles—those listed in scenario 1 and scenario 2—and therefore appears in our data twice. If the respondent is more likely to obey in scenario 1, then the observation associated with scenario 1 receives a 1 for the obey variable, and the obey value for scenario 2 would be 0. Each scenario–respondent combination would then enter as individual observations in a regression model, and the estimated coefficients would represent the AMCEs. However, since this approach implies that each respondent appears in the data twice, and each of the other responses—confront requester, delay compliance, contact press, and leak anonymously—are correlated, we estimate AMCEs with standard errors clustered on respondent. We also present 90 percent (thick horizontal lines) and 95 percent (thin horizontal lines) confidence intervals about the estimated AMCEs.
11. One major benefit of using both the forced choice and continuous rating operationalizations is that the combination of the two allows us to implicitly differentiate between stated preferences and revealed preferences. The continuous rating measure is arguably a measure of stated preferences, since we simply ask the respondents to rate their absolute likelihood of taking a specified action, and therefore social desirability bias might play a role in these responses. The forced choice measure—by forcing the respondents to specify under which scenario they are more likely to engage in a particular "guerrilla government" action—is implicitly a measure of relative likelihood. The forced choice measure is less prone to social desirability bias, since respondents must choose one scenario or another in which to engage in guerrilla government, but is probably prone to other forms of bias, since respondents must choose one scenario or another, even if they would not engage in guerrilla government under either (or would engage in it under both). Therefore, we present both sets of results; similar results in terms of sign and significance—though not magnitude—would provide evidence that our results are not simply driven by social desirability bias or other forms of bias. Generally speaking, the estimated effects are stronger for the forced choice questions, which is consistent with our previous discussion of social desirability bias and revealed versus stated preferences. However, the signs and significances of our estimated effects are comparable across question type, which gives us confidence in the broader substantive implications, even if the actual estimates might be somewhat imprecisely measured. Therefore, we focus the rest of our discussion on the results based on the forced choice indicators, unless otherwise specified. In all cases, the underlying OLS models are in the appendix. Note that the substantive results are virtually identical if we use all respondents who completed the conjoint experiment portion of the survey or limit our analysis to those who completed the entire survey, though we use the latter subset for all analyses presented in the main section of the article.
12. For example, the AMCE for an unwise policy view in the obey model is an estimate of how the probability of obeying changes if the respondent is told that a particular policy solution is "unwise" versus "appropriate."
13. In the appendix, we present results disaggregated by whether respondents were (a) not in a General Schedule position; (b) in an entry-level (GS-1 through GS-7) position; (c) in a mid-level (GS-8 through GS-12); or (d) in a high-level (GS-13 through GS-15) position. Our main conclusions are broadly unchanged regardless of which types of respondents are under analysis, though they are somewhat weaker when examining entry-level positions, and those not in General Schedule positions might be more sensitive to the type of retribution than those in the indicated positions. However, for the most part, the differences are matters of magnitude and not direction.
14. While the baseline probabilities of each type of guerrilla government response are different—with the average stated likelihoods in the (rescaled to the [0,1] scale) continuous rating equivalent to 0.210 (for press), 0.216 (for leak), 0.584 (for delay), and 0.699 (for confront)—the likelihoods of engaging in the different types of guerrilla government are comparably responsive to the component-level treatments. Note that the structure of the experiment precludes us from providing comparable estimates for the forced choice responses. Further note that the average stated likelihoods of obedience on the (rescaled to the [0,1] scale) continuous rating scale is 0.424.
15. In addition to social desirability bias and respondents possibly presenting themselves—or even viewing themselves—as individuals who will always do the right thing regardless of the possible retribution (recall the discussion of social desirability bias in note 11), it is also possible that the lack of results for our retribution treatments is due to insufficient external validity, as any retribution discussed in our survey is entirely hypothetical and respondents know they will not actually face punishment. Moreover, the broader applicability of the results presented herein is necessarily limited by the self-selection of respondents into our sample. While we have reason to believe that the respondents are not particularly prone to engage in guerrilla government (see note 9 on the relatively high levels of public service motivation among our respondents), we do not know how they might compare on other demographics relative to those who did not complete the survey. Therefore, while we believe our results provide an important insight into the role of ethical frameworks and the like within the bureaucratic decision-making process, and even though the robustness checks in the appendix show our results are not driven by response heterogeneity across General Schedule level, they should be viewed with some degree of caution.

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Supporting Information

A supplemental appendix can be found in the online version of this article at <http://onlinelibrary.wiley.com/doi/10.1111/puar.13118/full>.