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Justice Displaced, Justice Denied? Political Turbulence, Institutional Fragility, and Evaluation of Energy Justice in the US

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Abstract

Energy justice has gained prominence in contemporary energy policy, particularly in the context of the low-carbon transition, electrification, and infrastructure investment. Yet far less attention has been paid to the institutional conditions that make justice measurable over time. This article examines how political turbulence and institutional instability affect the evaluation of energy justice in the United States between 2021 and the beginning of 2026. Drawing on scholarship that discusses governance amidst turbulence, long-term policy theory, and institutional political economy, this article adopts a qualitative institutional audit. This includes statutory texts, executive orders, agency guidance, public dashboards, litigation records, and secondary reporting. This article traces how justice metrics were built into federal policy under the Biden administration through initiatives such as Justice40, the Inflation Reduction Act, and the Bipartisan Infrastructure Law. It examines how those metrics were disrupted following executive turnover, regulatory reinterpretation, funding shifts, administrative restructuring, and judicial interpretation. The argument is that justice becomes more fragile when institutional foundations—such as stable definitions, reporting practices, agency authority, and administrative capacity—are unsettled. This undermines the ability to define, measure, and compare energy justice over time. Under sustained political contestation, measurement becomes a place of conflict, and comparisons lose reliability. The findings show that energy justice depends on institutional continuity. When that breaks down, justice becomes harder to evaluate, defend, and sustain.

Keywords

climate change; contestation; decarbonisation; electrification; energy; energy justice; institutions; justice; public policy; turbulence; United States

1. Introduction

For some, the energy transition has been framed as an opportunity to address longstanding social inequities that were a part of pre-existing energy systems (International Energy Agency, 2025). Governments and international organisations reference justice, fairness, inclusion, and community benefits when discussing low-carbon projects, electrification, and investment in alternative energy solutions and their associated infrastructure (Jenkins et al., 2016; Sovacool & Dworkin, 2015). The energy transition is no longer presented solely as a technical or environmental task; it is positioned to redress some of the longstanding shortcomings in energy access, infrastructure, and resource use.

In the United States, this shift towards more “just” energy systems has been codified through initiatives at the federal, state, and regional levels. This shift includes attempts to embed practices like reporting requirements, labour conditionality in climate spending, and the explicit linking of climate policy to public health and community benefits. Such efforts have been baby steps—sometimes large leaps—to move energy justice beyond rhetorical or conceptual framings into real policy and implementation meant to produce outcomes. Yet despite this intention and attention, two persistent problems have arisen.

The first problem is conceptual and procedural. The growing prominence of justice language in US energy policy has not been matched by clarity about what justice entails. Further, there is a lack of agreement on how justice outcomes ought to be evaluated. Existing debates move between normative accounts of justice (i.e., what ought to be considered as fair) and policy-oriented assessments of distributional effects (i.e., who gains and who loses; Heffron & McCauley, 2018). Less attention has been paid to the institutional conditions under which justice can be meaningfully measured and assessed over time. This raises the second problem, which is one of politics and turbulence.

Beginning with the 2024 election and reinforced through the subsequent transition in 2025, the United States entered a period of high political contestation and uncertainty that was characterised by executive branch turnover. Policy change through executive action is a normal feature of presidential transitions (Wilhelm, 2024). But the new administration brought policy changes that created uncertainty beyond that normally associated with executive turnover—even compared to the first Trump administration (Rudalevige, 2026). Instances of agency restructuring, intense and persistent litigation over administrative authority, shifts in regulatory interpretation, and rapid policy reversals were introduced from the outset and sustained through the completion of this article (Gensler & Menand, 2025; Morris & Heim-LaFrombois, 2026). Energy justice was no exception. Frameworks and interpretations introduced during the Biden administration—or much before—were subjected to reinterpretation, narrowing definitions, rhetorical displacement, and outright defunding. In several cases, entire programs, definitions, baselines, or reporting mechanisms were altered or eliminated. Political contestation and the resulting uncertainty destabilise justice metrics and outcomes by altering evaluative institutions.

Such developments reveal that energy justice evaluation presupposes some institutional continuity. Turbulence destabilises that continuity. This article asks how uncertainty and abrupt policy changes affect justice measurement and assessment in the United States.

The core argument is that justice becomes difficult to evaluate when political contestation and institutional uncertainty destabilise the foundations and policies of measurement as well as policies.

2. Literature Review and Methodology

This article integrates four strands of scholarship—governance under turbulence and robust governance (Ansell & Trondal, 2018; Ansell et al., 2023); climate change and energy transitions as long-term policy problems (Hale, 2024); institutional capacity, learning, and credibility (Acemoglu & Robinson, 2012; North, 1990; Rodrik, 2007); and politicisation and contestation (Egan, 2013; McAdam et al., 2001). Within the latter, the energy transition and justice can be sources of contestation or co-opted within political contestation (Jeong & Lowry, 2019; McCright & Dunlap, 2011)—and it advances three contributions: First, it brings different strands of literature into direct conversation with energy justice evaluation. Second, it identifies the institutional conditions that make justice measurable over time. Finally, it connects academic discussions of energy justice more closely to policy debates and outcomes. The empirical focus is the United States between 2021 and the beginning of 2026. This period covers the institutionalisation of justice metrics and subsequent disruption.

Methodologically, a qualitative institutional analysis approach is adopted to audit the evolution of institutions. It draws on qualitative document analysis and approaches to tracing institutional change (Bowen, 2009; Mahoney & Thelen, 2010)—together, these inform what is described here as an institutional audit. The unit of analysis is the institutional arrangements through which energy justice is defined and evaluated. An institutional audit traces such changes—or notes their continuity—and asks whether arrangements hold or degrade over time. Degradation is identified through changes such as the removal or narrowing of definitions, interruption of reporting or data collection, changes in implementation or funding, and reductions in administrative or interpretive capacity. This methodological approach suits this article because energy justice becomes measurable through institutions; auditing those institutions examines the conditions of measurement directly rather than inferring them from outcomes alone.

The analysis draws on primary legal and administrative sources, and they are supplemented by secondary reporting. Source materials allow the analysis to trace the institutional process from creation to implementation of justice-related measures through to their monitoring, contestation, modification, or removal. Selection followed the justice provisions: where a statute, executive order, agency instrument, reporting framework, screening tool, or legal action created, defined, funded, implemented, monitored, contested, or altered a justice-related measure, where each of these instruments were included. Secondary reporting was used to clarify timing and effects of the changes. Table 1 summarises the principal documents and agencies assessed in this article.

Energy justice scholarship has developed rapidly over the past decade, often organised around three core dimensions: distributional justice, procedural justice, and recognition justice (Heffron & McCauley, 2018; Jenkins et al., 2016; McCauley et al., 2013; Sovacool & Dworkin, 2015). Within this framing, distribution refers to the allocation of costs and benefits, procedure means participation and decision-making, and recognition concerns whose harms, identities, and vulnerabilities are acknowledged.

Table 1. Principal documents and agencies assessed in the institutional audit.

Instrument or document	Agency or branch	Justice function assessed	Date/period
Executive Order 14008 (Justice40)	White House; CEQ, DOE, DOT, HHS, HUD, OMB	Distribution and recognition (40% target; disadvantaged-community definition)	2021
Climate and Economic Justice Screening Tool (CEJST)	Council on Environmental Quality	Recognition (vulnerability mapping)	2021–2024
EJSCREEN	Environmental Protection Agency	Recognition (mapping and screening)	Pre-2021; removed in 2025
Inflation Reduction Act (IRA; 2022)	Congress; Treasury/IRS, DOE	Distribution and procedure (funding, labour, EJ provisions)	2022
Bipartisan Infrastructure Law/IIJA (2021)	Congress; DOT, DOE	Distribution (targeted infrastructure funding)	2021
Loper Bright Enterprises v. Raimondo (2024)	US Supreme Court	Interpretive authority (Chevron deference ended)	2024
Executive Order 14148 (rescissions)	White House	Rollback of prior climate and justice orders	2025
Executive Order 14151 (ending federal DEI)	White House; OPM	Recognition and language (terminology removal)	2025
Executive Order 14154 (Unleashing American Energy)	White House; all agencies	Regulatory reinterpretation (fossil-fuel priority)	2025
Greenhouse Gas Reporting Program (termination proposal)	Environmental Protection Agency	Data baseline (emissions reporting)	2025–2026
Annual Air Quality Trends report (delayed; contested)	Environmental Protection Agency	Data baseline (pollution monitoring)	2025–2026
Environmental justice grant cancellations (781)	Environmental Protection Agency	Distribution (targeted funding)	2025–2026
Paris Agreement withdrawal	White House; Department of State	International baseline and reporting	2025
Annual national greenhouse gas emissions inventory to the UN Framework Convention on Climate Change	Environmental Protection Agency	International baseline and reporting	2025–2026

This article adopts three dimensions—distributional, procedural, and recognition justice—as its evaluative framework (Jenkins et al., 2016; McCauley et al., 2013). Alternative conceptions exist, including capabilities-based approaches that centre substantive freedoms and functioning (Day et al., 2016), energy democracy, which emphasises popular control over energy systems (Szulecki, 2018), and energy sovereignty. These approaches raise different normative questions about who is owed what, by whom, and on what terms. The triumvirate is appropriate here because it closely tracks the dimensions of justice operationalised in US federal policy between 2021 and 2026: distribution appears in funding allocations and energy-burden

targets, procedure in consultation and review requirements, and recognition in the vulnerability categories embedded in screening tools. Exploring how justice was measured benefits from examining the framework through which it was institutionalised. The analytical question is how the institutions that answer these remain stable enough for answers to be compared over time.

Quantitative research has sought to mould justice into measurable values; for example, Israel and Frenkel (2020) construct a capabilities-based metric of spatial justice through survey data and structural modelling. They demonstrate the promise and the difficulty of making normative claims comparable. Recent work goes further, arguing that the indices of energy justice shift with political priorities and with the ideological, disciplinary, and intellectual commitments of those who construct them (Boamah, 2025). If metrics have the imprint of the knowledge cultures that produce them, then the institutional arrangements that stabilise a given metric—who defines it, which agency maintains it, and how consistently it is applied—are what allow justice to be compared across administrations at all. When those arrangements are contested, a metric can become less accurate and the site of struggle over what a term—here justice—is taken to mean.

The energy transition and energy justice literature intersect with other strands of scholarship. For example, they could be considered part of the “long problems” (Hale, 2024) because their causes and consequences alike unfold over multiple generations and an enormous time span. Justice-relevant outcomes—such as improved health, reduced cumulative exposure, intergenerational equity—come about slowly. Yet the voters, policy-makers, and leaders who are implementing changes now might not ever see the longer-term effects of those changes, but they bear the consequences of contestation over resource use (and the trade-offs in allocation) in the present. Climate injustice runs through these dynamics, and this article returns to this point in Section 4, where the erosion of environmental data is shown to remove the basis for recognising climate harm.

Hale (2024) identifies three relevant dynamics here: (a) the early action paradox, in which the benefits are delayed but costs are immediate—essentially that action to mitigate unwanted outcomes must happen early, but this is made difficult by high uncertainty mixed with low salience of the issue in the present; (b) shadow interests, in which future beneficiaries lack present representation—it is up to those in the present to have the imagination to consider what future generations might need and ask for; and (c) institutional lag, in which institutions struggle to adapt as problems evolve.

Under conditions of uncertainty and intense contestation, these three dynamics become more pronounced. Short-term political outcomes give incentive for indicators that show immediate effects. Justice outcomes that occur in a longer time horizon become easier to discount, and it is easier to declare that they are unknowable and not the responsibility of the present. But when definitions and baselines are altered in the name of political expediency, justice can become delayed and procedurally muddled, unmeasurable.

Recent governance scholarship conceptualises turbulence not as an episodic disturbance but as a persistent condition. Turbulence refers to situations in which events, demands, and political support interact in highly variable and unpredictable ways, generating chronic instability rather than discrete crises (Ansell & Trondal, 2018; Ansell et al., 2023). Governance systems under turbulence do not return to equilibrium. They adapt continuously under conditions of compressed time horizons, contested authority, and shifting coalitions.

Within this literature, robust governance has been proposed as an alternative to resilience. Whereas resilience emphasises recovery and restoration, robustness highlights the capacity of institutions to maintain core functions while selectively adapting to change. Stability and change are not opposites, as change may be necessary to preserve what is valued.

The strength of governance, as conceptualised in the turbulence literature, depends on adaptive flexibility and on institutionalised routines of evaluation and learning. Institutional political economy has long emphasised that policy effectiveness under uncertainty rests less on optimal design than on the credibility and durability of institutions capable of correcting errors and integrating feedback (Acemoglu & Robinson, 2012; North, 1990; Rodrik, 2007). These institutions help to structure expectations, stabilise interpretation, and allow actors to coordinate around shared rules. When interpretive authority is contested, administrative capacity is hollowed out, or reporting frameworks are repeatedly revised, the credibility of evaluation calcifies. Under such conditions, justice metrics risk becoming episodic rather than cumulative and comparable. The energy transition and its implications for energy justice are subject to uncertainty and contestation. They are shaped by economic shocks, technological disruption, geopolitical pressures, market volatility, litigation, and partisan contestation (Andersen et al., 2022; Brännlund & Peterson, 2024; Claes, 2025). The energy justice literature has documented how infrastructures, markets, and governance arrangements distribute benefits and harms unevenly (Jenkins et al., 2016; McCauley et al., 2013; Sovacool & Dworkin, 2015). Much of this literature tends to assume relatively stable institutional conditions within which justice principles can be articulated and evaluated. Further, empirical research in the United States demonstrates that perceptions of energy policy, affordability, and system change vary across demographic groups and according to lived experience, reinforcing that justice categories are socially mediated rather than technocratically self-evident (Chapman et al., 2021). Findings underscore that recognition-based metrics depend not only on formal definitions but on which experiences are captured, aggregated, and represented within institutional frameworks.

Energy justice scholarship has tended to treat measurement as something downstream: once justice principles are normatively agreed upon, indicators are constructed to capture distribution, participation, and recognition. Yet turbulence scholarship suggests that measurement depends on institutional continuity. Indicators are not divorced from politics; they are embedded in administrative routines, legal authority, and organisational capacity. When these underlying conditions are unstable, measurement ceases to be a neutral technical step and becomes part of the contestation. In such a situation, justice commitments might continue to exist in name only, through rhetoric, even as their evaluative foundations weaken, and administrative know-how and capacity shift, causing upset. This article argues that turbulence alters the institutional conditions under which justice outcomes can be observed, compared, and defended over time.

3. Empirical Audit of US Policy and Reversals 2021–2026

3.1. Biden Administration 2021–2024: Institutionalisation of Justice Metrics

Energy justice did not begin with the Biden administration, and the institutional foundations examined here were neither new nor settled. Federal attention to environmental justice dates at least to Executive Order 12898 of 1994, which directed all federal agencies to identify and address disproportionately high environmental and health burdens on minority and low-income populations (Executive Order No. 12898,

1994). That order, like much of the field, rested on a civil rights foundation—above all Title VI of the Civil Rights Act of 1964—rather than on a dedicated energy justice statute. This lineage matters for two reasons: First, recognition of who counts as burdened has been a legal and cultural achievement, contested and sporadically enforced across administrations; it has not been stable. Second, the instruments discussed below, from Justice40 to the IRA and the Bipartisan Infrastructure Law, entered a fragile institutional field. Their justice provisions were litigated, narrowed, and politically disputed well before 2025. Presenting the Biden period as a settled baseline would overstate how established energy justice evaluation ever was. The more accurate reading is that a long under-institutionalised field was briefly and partially consolidated, yet remained vulnerable. Between 2021 and 2024, energy justice was embedded in federal policy architecture and included in a range of technocratic policy instruments. Justice-related goals could be operationalised and evaluated through mapping, reporting requirements, interagency task forces, grant conditions, tax breaks and credits, and community consultation processes. It also benefited from general continuity of federal agencies, such as the Environmental Protection Agency. The United States stayed a part of international agreements, and it was active in organisations like the International Energy Agency. There were exceptions to continuity, notably in interpretations that came from the judicial branch. Yet during this period, institutional fragility was visible in several places. There was an over-reliance on executive authority, there were politically contested definitions of what constituted “disadvantaged,” there was uneven data capacity, and there was heightened political polarisation, especially around climate change and energy policy.

3.1.1. Executive Order 14008—Justice40

The Biden administration’s first major institutional move came through executive action. Executive Order 14008 (Tackling the Climate Crisis at Home and Abroad) introduced the Justice40 Initiative. This established a goal that 40% of the benefits of certain federal climate and low-carbon energy investments would flow to disadvantaged communities (Executive Order No. 14008, 2021). As part of the order’s implementation, agencies were tasked with developing screening tools, data platforms, reporting mechanisms, and vulnerability indices. These included the DOE, the DOT, the HHS, the HUD, the OMB, and interagency working groups, like the White House Environmental Justice Interagency Council. The White House Council on CEQ coordinated the CEJST, which mapped communities based on burdens such as pollution exposure, energy burden, health disparities, and socioeconomic vulnerability. The Environmental Protection Agency maintained EJSCREEN, an environmental justice mapping and screening tool that predated the Biden administration but was expanded and integrated during the administration and used to inform grant programme decisions.

This initiative and its administrative scaffold did several important things. First, it translated a broad justice commitment into a concrete percentage target and even highlighted it within the initiative title, which linked discourse and policy action. It also established a connection between justice and allocation of federal funds. This executive order required that agencies identify and define “disadvantaged communities.” This made explicit how federal policy defined and identified communities that were considered disadvantaged. Finally, Justice40 required tracking and reporting to establish baselines and implementation.

This marked a shift. Justice was operationalised through threshold criteria, administrative definitions, mapping, and reporting requirements. Recognition justice—who counts as disadvantaged—was embedded in

a federally led mapping instrument. Nevertheless, this institutionalisation was established through executive action rather than legislation. Its durability depended on executive continuity.

3.1.2. The Inflation Reduction Act and Bipartisan Infrastructure Law

The second dimension of institutionalisation occurred through statutory law. The 2022 IRA embedded justice-oriented provisions into federal climate spending. This included elements of federal climate spending and tax incentives for labour standards, domestic manufacturing, and environmental justice provisions (Inflation Reduction Act, 2022). The act relied on agencies to interpret and implement the law. Elements such as tax credit rules, eligibility criteria, and reporting requirements needed administrative interpretation and follow-through.

In parallel with the IRA, the Bipartisan Infrastructure Law, formally the Infrastructure Investment and Jobs Act of 2021, reinforced justice-oriented infrastructure development through large-scale federal investment in grid modernisation, electric vehicle charging networks, resilience upgrades, public transit, water infrastructure, and environmental remediation (Infrastructure Investment and Jobs Act, 2021). While not framed exclusively through the language of “energy justice,” the Bipartisan Infrastructure Law contained justice-relevant provisions through targeted funding streams for disadvantaged communities, resilience investments in climate-vulnerable regions, and support for school buses and public transport electrification.

These operationalised distributional justice through targeted funding allocations and measures intended to reduce energy burdens, procedural justice through consultation and community benefit requirements, and recognition justice through vulnerability mapping and prioritisation criteria. Both required agency rulemaking, guidance documents, eligibility, and reporting frameworks to translate legislative intent into practice. Justice-relevant provisions were built into the statutory law and mediated through administrative discretion.

The third dimension was the use of administrative tools used to implement and track programmes. These included programme-level reporting requirements, evaluation of grant eligibility criteria, impact assessment tools, interagency working groups to share information and perspectives, and public-facing information and metrics.

Such instruments allowed distributional justice to be tracked through funding allocation data and beneficiary counts. Procedural justice was operationalised through consultation requirements, public comment periods, and environmental review processes. Recognition justice was partially embedded in vulnerability screening and targeted outreach requirements.

3.1.3. Judicial Reorientation and Agency Discretion

Even during this period of justice institutionalisation, there was underlying tension. In *Loper Bright Enterprises v. Raimondo* (2024), the Supreme Court overturned *Chevron* deference, which ended the long-standing practice under which courts deferred to reasonable agency interpretations of ambiguous statutes. This decision altered the balance of interpretive authority between agencies and the judiciary.

The background requires some explanation. In the US, Congress enacts laws, but those laws can be ambiguous. Federal agencies interpret Congress's laws and give them meaning in application. Interpretive authority is about who has the final word over what provisions mean: the agency charged with implementation or the courts reviewing agency action. The Chevron Doctrine, established in *Chevron U.S.A., Inc. v. Natural Resources Defense Council* (1984), was a part of this structure. Under Chevron, the courts asked whether Congress had spoken clearly on the issue at hand; if Congress had spoken clearly the court applied that meaning (*Chevron U.S.A., Inc. v. Natural Resources Defense Council*, 1984). If the statute was ambiguous, courts often deferred to the agency's interpretation. This framework gave agencies interpretive flexibility when implementing complex statutes. In *Loper Bright Enterprises v. Raimondo*, the US Supreme Court overruled Chevron and held that courts must independently interpret statutes rather than defer automatically to agency interpretations (*Loper Bright Enterprises v. Raimondo*, 2024). This shifted interpretive authority towards the judiciary, constrained agency discretion, and increased uncertainty for agencies and other stakeholders.

For energy justice implementation, this was significant. Many justice-relevant determinations, such as defining "disadvantaged communities," setting forth eligibility criteria, or determining the scope of regulatory authority, depended on expert interpretation. Overruling Chevron made such interpretations more vulnerable to litigation, judicial challenge, and reduced the deference given to agency expertise. The shift contributed to legal uncertainty and reduced administrative flexibility. Thus, even before the subsequent executive change, the institutional basis for evaluating energy justice had hit a speed bump.

3.1.4. Justice as an Institutional Achievement and Assumption

Energy justice evaluation and follow-through during the Biden period were based on a set of institutional assumptions. For example, the assumption of stable data collection practices, or a shared belief in the legitimacy and authority of data. It assumed reasonably consistent definitions of what constituted a "disadvantaged" community, even though such definitions were contested and politically sensitive. It assumed sufficient administrative capacity to track, monitor, and enforce compliance across agencies and jurisdictions. It assumed a degree of judicial deference to agency interpretation. It assumed predictable funding streams. Justice was measurable and actionable because institutions provided the means to define and evaluate it, but that measurability depended on some level of political continuity across government and administration. The subsequent period of contestation and uncertainty tested how deeply embedded and durable the evaluative framework supporting energy justice was.

3.2. Trump Administration 2.0: 2025–Present

Trump's second term in the presidency marked a rupture in continuity and energy justice policy. There was restructuring and turnover across government agencies. Officials who publicly rejected the scientific consensus on climate change were appointed to senior positions and given authority to advance alternative narratives. There were fund freezes and delays. The administration took action against electric vehicles and moved to reassert fossil fuels as the preferred energy sources. Its re-embraced oil—Trump's famous "drill, baby, drill"—and re-elevated coal mining and coal power (Martínez & Mai, 2024). This redirected federal energy policy toward fossil fuel expansion and placed greater emphasis on a narrative of "energy security," while downplaying or taking an antagonistic approach to low-carbon alternatives (Sabin Center for Climate Change Law, 2025; The White House, 2025). Trump targeted low-carbon energy sources, such as offshore

wind turbines; this resulted in pressure and policies intended to constrain the industry (Georgetown Climate Center, 2026). The administration moved to reverse Biden-era policies. Measurement frameworks were muddled; their reporting was done away with or obscured. Language was erased or politicised.

The period of Trump's second term so far, throughout 2025 and into 2026, has shifted institutional mechanisms that altered the legal, administrative, and informational framework under which energy justice had been measured and implemented. The shift operated through legislative rollback, language contestation, regulatory reinterpretation, fiscal control, administrative restructuring, and judicial escalation. Changes have moved goalposts for evaluating vulnerability, reduced the emphasis on recognition-based indicators, and deprioritised requirements such as consultation. This has destabilised evaluative infrastructure.

This domestic reorientation was inseparable from the geopolitics of fossil fuels. The US withdrew from major climate agreements. Energy policy was recast around security and dominance. This placed it within the international political economy of oil, gas, and other extractives, where relationships with major producers, including sanctioned suppliers such as Venezuela and the oil producers of the Middle East, shape the terms of supply and price. When the transition is treated as a liability rather than a justice project, the distributional and recognition claims centred on affected communities lose standing against an account of energy that is centred on production and geopolitical advantage.

3.2.1. Rollback or Cancellation of Biden-Era Policies

President Trump, like Biden, made his first moves through executive orders. The provisions of the IRA remained formally in place, as Congress had not repealed the legislation. Nevertheless, elements of Biden-era climate and justice policy were slowed, weakened, or reinterpreted through executive action. Executive Order 14148 (2025) rescinded a broad set of Biden-era executive orders, including the dismantling of prior guidance and environmental and climate directives. Executive Order 14154 (2025) targeted tax incentives, particularly those related to electric vehicles and low-carbon energy projects, and it paused and ordered review of certain IRA and Bipartisan Infrastructure Law disbursements, including electric vehicle-charging funds. Implementation guidance was reopened while agency rulemakings were delayed or reconsidered. This was linked in part to federal agency restructuring, as well as emerging federal-state disputes.

These actions did not eliminate the statutory authority established by Congress. But justice commitments expressly in the legislation were vulnerable to new administrative interpretations. Reinterpretation could result in a partial hollowing out, even without formal repeal.

3.2.2. Language Erasure and Contestation

A mechanism of uncertainty and contestation involved the politicisation, revision, and removal of language. Terms such as “environmental justice,” “climate equity,” and “disadvantaged communities” were deprioritised or removed from certain administrative communications and guidance documents. For example, in early 2025, the Environmental Protection Agency removed numerous web pages related to environmental justice and “diversity, equity, and inclusion” (DEI), including environmental justice terminology and resources. This included the removal of the EJSCREEN mapping tool and related materials, which had provided a public-facing platform for mapping environmental and demographic data that showed pollution burdens and

social vulnerabilities (Environmental Protection Agency, 2025). The Office of Personnel Management removed references to topics including “environmental justice,” “diversity, equity, and inclusion (DEI),” and related terms from its website under directives implementing Executive Order No. 14151 (2025). Some reporting requirements were proposed for elimination. The Trump administration proposed ending the Greenhouse Gas Reporting Program, a data collection system that requires facilities to report annual emissions data and proposed repeal of the Endangerment Finding and vehicle GHG standards (Climate Alliance, 2025; United States Environmental Protection Agency, 2025). Indeed, the US failed to submit its annual national greenhouse gas emissions inventory to the UN Framework Convention on Climate Change by the April 2025 deadline, which broke with nearly three decades of regular reporting; the completed Environmental Protection Agency (EPA) inventory was subsequently obtained through a Freedom of Information Act request and published externally (Climate Alliance, 2025; United Nations Framework Convention on Climate Change, 2025, 2026). The EPA’s annual air quality trends report, which provides an authoritative national picture of pollution levels, was delayed. Meanwhile, others took issue with the EPA’s approaches and metrics (Hubbell & Krupnick, 2026). Independent analysis of the EPA’s enforcement data identified declines in enforcement activity during 2025. Of twenty-four enforcement measures examined by the Environmental Data and Governance Initiative, fourteen were at their lowest or second-lowest levels in two decades, while the number of civil judicial cases initiated fell to a twenty-year low (Sellers et al., 2026). EPA’s 2025 enforcement report also omitted environmental justice data reported in previous years, limiting the ability to assess how enforcement activity and outcomes were distributed across communities with and without environmental justice concerns (Sellers et al., 2026). In January 2026, the Environmental Protection Agency announced that it would no longer calculate or assign monetary value to premature deaths or illnesses that could have been avoided when setting limits on dangerous air pollutants such as fine particulate matter (PM_{2.5}) and ozone; instead, the agency said it would focus on the costs of compliance to industry (Feldscher, 2026; Hubbell & Krupnick, 2026).

Justice metrics need clarity of definition, or at least transparent discussion. When vulnerability thresholds or recognition-based categories are altered, or when equity framing is replaced with generalised economic language, the objects of measurement shift. Communities previously classified as eligible may fall outside revised criteria. Indicators tied to recognition or cumulative harm may lose salience.

3.2.3. Regulatory Re-Interpretation and Executive Authority

The uncertainty and contestation were reinforced by the use of executive authority and abrupt reinterpretation of regulatory authority. Executive Order 14156 (2025) declared a national energy emergency and directed federal agencies to use emergency and other authorities to facilitate domestic energy production, infrastructure, and permitting. This was accompanied by Executive Order 14154 (2025), which aimed to expand fossil fuel production. Federal agencies were to review existing regulations and policies that imposed “undue burdens” on fossil fuel and other energy resource development and suspend, revise, or rescind such policies while streamlining the permitting processes and infrastructure development for fossil fuel production and associated energy investment. It also restarted the reviews of liquefied natural gas export approvals (Sabin Center for Climate Change Law, 2025). The administration issued a temporary cessation on new or renewed federal approvals, permits, and loans for onshore and offshore wind projects (Presidential Memorandum, 2025). Where legislative repeal was not possible, executive power was exercised to alter the speed, scope, and signalling of implementation. The judicial environment, which was

already altered by the Loper Bright ruling, further constrained agency discretion. Agencies anticipating judicial challenge were incentivised to adopt more cautious or narrow interpretations of authority. The use of the courts intensified, and emergency motions became a prominent tool for contesting agency action or seeking judicial relief (Brennan Center for Justice, 2025).

For energy justice evaluation, these developments matter in two ways. First, many justice-relevant determinations depend on discretion, such as in defining eligibility criteria, enforcing compliance conditions, and establishing reporting standards. Second, regulatory uncertainty can discourage long-term planning and investment that are important in the energy transition and in meeting energy justice outcomes. Finally, when agencies cannot confidently interpret their legal and regulatory authority, or when interpretation of that authority changes abruptly and is politicised, implementation can slow and evaluation becomes fragmented. The result was that agencies tasked with justice-related work operated under heightened legal uncertainty and executive scrutiny.

3.2.4. Funding and Enforcement Shifts

Fiscal policy was another mechanism through which this reorientation occurred. Funding associated with climate and justice programmes was subjected to review, delay, or reallocation. In early 2025, the Trump administration directed agencies to review and temporarily pause disbursement of certain climate and infrastructure funds authorized under the IRA and Bipartisan Infrastructure Law (Gelles et al., 2025). The Government Accountability Office documented delays in IRA-related programme implementation and grant processing under administrative transitions (Government Accountability Office, 2025). The Environmental Protection Agency cancelled nearly 800 grants designed to support environmental justice and public health programmes in highly polluted communities (Center for American Progress, 2025). Even without formal legislative repeal, budgets could be leveraged to alter outcomes. There was greater emphasis on fossil fuel expansion and less on justice-linked monitoring.

This extended beyond US domestic borders. Internationally, climate finance commitments were revisited and reduced. A consequential element of the rupture was the formal withdrawal of the US from the Paris Agreement. While the Paris framework relies on nationally determined contributions rather than binding emission caps, it nevertheless establishes a structure of commitments, reporting obligations, and long-term decarbonization trajectories. Withdrawal from the agreement signalled a shift in policy preference and a rejection of elements of international climate governance. It removed one external accountability mechanism that had previously helped anchor US domestic targets and reporting practices (Sabin Center for Climate Change Law, 2025). In doing so, the withdrawal underscored the ease with which executive-led international commitments could be reversed in the absence of legislative action. For energy justice evaluation, this matters in two respects. First, long-term decarbonisation pathways provide a baseline against which distributional and recognition-based outcomes can be measured over time. Second, participation in international agreements stabilizes expectations among subnational governments, private investors, and civil society actors. Withdrawal introduced temporal and strategic uncertainty, weakening the continuity necessary for cumulative justice assessment. Finally, withdrawal from the Paris Agreement represented a contraction of the temporal horizon: a move away from multi-decade transition planning towards shorter-term executive preferences.

3.2.5. Administrative Restructuring and Bureaucratic Hollowing

Another dimension of rupture involved administrative restructuring and personnel turnover, including loss of expert staff. Agency consolidation efforts and efficiency under the second Trump administration, most often associated with initiatives under the Department of Government Efficiency, produced reductions in staffing and reorganisation within departments responsible for climate, energy and environmental governance.

This has had notable implications. High turnover in senior leadership positions disrupted institutional memory and ongoing projects. Career civil servants faced uncertainty regarding policy direction and enforcement priorities. This encouraged more cautious administrative behaviour, with agencies limiting discretionary action in anticipation of legal or political pushback.

3.2.6. Judicial Escalation and Inter-Branch Contestation

The judicial branch has played a central role during this period. Emergency motions, injunctions, and rapid appellate review created a turgid legal environment in which policy implementation was paused or contested (Brennan Center for Justice, 2025). Many of the policy rollbacks in this piece are awaiting their day in court. The interplay between executive action and judicial intervention intensified uncertainty across those two branches, as well as the legislative branch, federal agencies, and populations affected by judicial rulings.

In this way, courts became arbiters of implementation timelines. The prospect of being mired in litigation, with its delays and the possibility of judicial interpretation, worked to shape administrative behaviour. The dynamics were evident in federal-state divergence, as some states pursued more ambitious climate and justice policies while others aligned more closely with the federal reorientation. Federal pressure on states through regulatory action or funding conditions added further instability (Aton & Clark, 2025; e.g., *State of California et al. v. United States Environmental Protection Agency*, 2025). The effect has been institutional pressure.

These mechanisms altered the conditions under which justice could be defined, measured, and enforced. The evaluative goalposts have moved across branches of government and across administrative layers. Under conditions of uncertainty and high contestation, justice metrics have proven more vulnerable than their formal presence in policy might suggest.

4. Implications for Justice Evaluation Over Time Amidst Uncertainty and Contestation

This section draws out the implications for energy justice evaluation over time. It focuses on how turbulence changes the institutional conditions under which energy justice can be measured, compared, and defended. In other words, turbulence does not merely change what governments do; it changes the conditions under which researchers, regulators, and affected populations can credibly assess what, exactly, has been done. Turbulence's scholarship helps clarify why. Hale's account of climate change as a long problem adds the temporal dimension: justice-relevant outcomes are often delayed, cumulative, and intergenerational, while political incentives and institutional rhythms are on shorter horizons (Hale, 2024). Under turbulence, the mismatch between long-horizon justice goals and short-horizon political contestation intensifies.

Climate injustice is a core component of energy and environmental injustice (Jenkins et al., 2016; Sovacool & Dworkin, 2015). The communities that carry the highest energy burdens are frequently those most exposed to climate harm, which includes extreme heat and flooding, and deteriorating air quality. The institutional retreat that erases energy justice metrics also removes the data through which climate harm is documented. When the Greenhouse Gas Reporting Program is proposed for elimination or annual air quality reporting lapses, the injustice is at once climatic and energetic. Turbulence changes the temporal horizon over which justice is assessed and alters the basis of evidence on which climate injustice can be recognised as injustice at all. Evaluation shifts from being difficult to being structurally compromised. The central implication is that justice becomes harder to evaluate because it is multidimensional. Further, the baselines and goalposts against which it is evaluated are vulnerable to political contestation.

4.1. When the Goalposts Move and Baselines Are Erased

Energy justice evaluation depends on minimum continuity in baselines: stable definitions of who counts, stable reporting practices, and a stable time horizon that allows longitudinal comparison. Under uncertainty and rapid policy reversal, that continuity becomes fragile. The “goalposts” move in at least three analytically distinct ways.

First, definitional baselines can be revised. Recognition justice depends on categories of vulnerability and disadvantage that are often contested and politically sensitive. When definitions of “disadvantaged communities,” eligibility thresholds, or screening criteria are revised or narrowed, comparison across time becomes difficult. A community may appear to “improve” not because burdens diminished, but because their classification changed. This is a form of drift: the population is altered, and the metric loses comparability.

Second, methodological baselines shift. Distributional indicators such as funding allocations, programme uptake, and counts of beneficiaries are often treated as hard, technical measures. Yet they depend on methodological continuity. This includes questions such as: what counts as “benefit”? How are benefits attributed? What time horizon is assumed? When reporting frameworks are revised, cost-benefit assumptions are altered, or administrative guidance changes the scope of policy, the same indicator can describe markedly different realities. This creates methodological discontinuity and weakens comparability over time.

Third, data baselines can be weakened or erased. Discontinuities in reporting, delayed publication, altered dashboards, or reduced enforcement capacity create missingness. Missing data under uncertainty and political contestation represent a form of non- or even anti-accountability. When the data pipeline is interrupted, the system becomes less auditable, and contestation can proceed with fewer empirical constraints. In energy justice terms, this is consequential because many recognition and health-relevant outcomes—such as pollution exposure, morbidity patterns, cumulative harms—depend on consistent measurement practices. When the data are not there—perhaps missing, unavailable, not counted, overlooked, or even obscured—it becomes easier to claim uncertainty and to reframe burdens as unknowable or contested. Moreover, while experts might know to go looking for this missing data and apply pressure to reinstate it, the populations, who might be at the highest vulnerability and risk of harm, may not know to go looking. This asymmetry of information compounds injustice.

4.2. Institutional Strength or Fragility

Academic work on institutions emphasises that policy effectiveness under uncertainty depends less on optimal design than on institutional learning, adaptability, and credibility (North, 1990; Rodrik, 2007). The turbulence literature, too, notes that strong governance requires that core functions be maintained while adapting (Ansell et al., 2023). Energy justice evaluation places high demands on institutions. It requires durable evaluative capacity alongside durable policy goals. This means the ability to set goals, define categories, collect data, enforce rules, and revise approaches in a transparent manner.

Under conditions of strain, institutional fragility becomes visible in the places where evaluation depends most on continuity. These points of dependence include administrative capacity (e.g., staffing, expertise, and interagency coordination), procedural continuity (e.g., consultation and review pathways), and interpretive authority (e.g., the ability to establish stable guidance without immediate court action or reversal). When these capacities weaken, so do the conditions for comparison over time. From an evaluation standpoint, a core function is the capacity to make policy legible and assessable over time.

There is a deeper implication for interpretation and credibility. Rodrik's emphasis on error correction and learning implies that policy experimentation can lead to error; what matters is whether institutions can absorb failure without delegitimisation and adapt in credible ways (Rodrik, 2007). Turbulence could be a forcing mechanism for positive change. In certain conditions of turbulence, though, the legitimacy of evaluation becomes a target. If evaluative institutions are portrayed as partisan, if scientific or administrative expertise is discredited, or if reporting frameworks are reframed as ideological, then even well-designed indicators can lose authority or become embroiled in political contestation. Justice may remain present in discussion, but the institutional capability to evaluate it becomes brittle.

4.3. The Politicisation of Metrics

The third implication concerns how metrics become politicised under turbulence. Energy justice debates often assume that measurement is a neutral or technical step after normative agreement (e.g., Heffron & McCauley, 2018; Sovacool & Dworkin, 2015). Under conditions of contestation, measurement is a site of struggle. In this framing, metrics are instruments that allocate attention, legitimacy, and burden of proof.

Politicisation operates across all three justice dimensions. In distributional terms, the key issue is what gets counted as benefit or harm. Under contestation, costs can remain legible while benefits are framed as speculative, uncertain, or non-monetisable. In procedural terms, metrics of participation can be weakened: consultation can become overly formal, or procedural rather than substantive; notice periods can be shortened; or public engagement can be reframed as an administrative burden instead of a democratic obligation. In recognition terms, categories of vulnerability can be relabelled, deprioritised, or treated as politically loaded in ways that facilitate their dismissal or delegitimisation. This shifts the empirical basis for justice claims.

These dynamics align with scholarship highlighting how, in turbulent times, actors attempt to adapt and innovate to ensure continued relevance (Carstensen et al., 2024). During periods of turbulence, actors can bend justice language to new political needs, or they can dismiss it as ideological and undermine the

comparability of indicators and the credibility of evaluation. The implication for researchers and policymakers is to pay close attention to evaluation. Under conditions of uncertainty and contestation, evaluation ought to be treated as part of governance conflict. Measurement does not sit outside politics but is part of how political authority is exercised, contested, and legitimised.

4.4. Energy Justice as an Institutional Achievement

Energy justice is measurable when definitions remain stable, data is collected consistently, interpretive authority is recognised, administrative capacity exists, and enforcement is credible. Without these conditions, justice remains aspirational.

Understood in this way, energy justice is an institutional achievement because it depends on durable evaluative infrastructure. Where that infrastructure fractures, justice becomes vulnerable to delay, indeterminacy, and strategic or rhetorical invocation. The central issue, then, is not simply whether governments endorse justice principles; it becomes a matter of whether the institutional conditions necessary for measuring justice can withstand uncertainty and contestation. When those conditions weaken, justice becomes unstable in practice even if it remains visible in rhetoric.

5. Conclusion

The institutionalisation of energy justice remains uneven and vulnerable to political contestation. This article has shown that periods of governance turbulence destabilise justice metrics by altering the institutional foundations through which justice is defined, measured, and enforced.

Under conditions of uncertainty and contestation, evaluative baselines shift, reporting practices fragment, interpretive authority is contested, and administrative capacity weakens. Justice becomes difficult to track across time. Distributional claims lose comparability. Procedural commitments weaken. Recognition categories drift or are reframed. Disadvantaged communities face circumstances in which the terms of evaluation change, and the burden of navigating those shifts falls disproportionately on them.

These tensions reflect disputes over energy justice, climate policy, federal power, and the authority of expertise. While justice may still be mentioned in law and policy discourse, the tools that allow it to be measured can deteriorate.

These findings open several avenues for future research. If justice depends on institutional continuity, a productive agenda would ask how evaluative infrastructure can be made more robust to turbulence, whether through statutory anchoring, independent data custodianship, or subnational and transnational reporting that preserves comparability when federal commitment weakens or changes. Comparative work is needed. The United States is instructive precisely because its reversals were rapid and visible, yet the underlying dynamic of justice metrics rising and falling with political cycles is not unique. Comparison across regimes and across episodes of contestation would help separate what is particular to the American case from what is general to energy justice under turbulence. The relationship to fossil fuels likewise deserves closer attention as producer-state relations and security framings increasingly define the space in which justice claims can be made. Across these directions, the task is to understand not only whether governments

endorse justice, but whether they sustain institutions capable of measuring it when doing so becomes politically costly.

The evaluation and implementation of justice outcomes depend on institutional stability. When that stability fractures—when there are changes to definitions, reporting practices, administrative capacity, or methods—the basis on which justice claims are assessed weakens. Justice becomes harder to measure, defend, and sustain across political cycles. In turbulent times, justice delayed carries the risk of justice denied because the foundations that make justice assessable no longer hold.

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