How to Balance Individual Rights and Societal Security?

The View of Civil Servants

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Abstract

How do Norwegian government officials perceive the dilemma between liberty and security after the 2011 terrorist attacks? A survey from 2016 shows that the central government officials' attitudes are rather similar to the general population. Both are willing to trade individual rights for more societal security. Structural, cultural and demographic features explain variations in the civil servants' views. Position and perceptions of crisis management capacity make a difference. Officials responsible for crisis management are more willing to prioritize security. Low conflict, high trust and a strong identification with central government creates support for security measures. Furthermore, age and gender matter.

Introduction

Ensuring both security and civil liberties are core functions of a democratic state, but achieving the right balance between these is challenging. Public sector executives face a difficult dilemma between providing protection and adequate security for the population while maintaining legitimacy. Individual rights, such as freedom of expression, religion, mobility, assembly as well as privacy are central to any representative democracy. The right to due process is among the most important political values in a democratic society, but so is the government's responsibility to protect its citizens.[1] Individual rights and freedom may in some instances be in conflict with a situational security imperative, especially during times of national threat and crisis.[2]

Most of the debate over the trade-off between security and liberty and the challenges to democracy represented by the more far-reaching counter-terrorism laws has revolved around the 'input' side of democracy – i. e. legitimacy and citizens' trust in government. In this article, however, we will look at the output side of democracy, in other words civil servants' willingness to trade off individual rights for security. Focusing on public employees' perceptions and priorities is also important for dealing with terrorism.[3]

The 'fear factor' tends to further centralization and coordination within states, implying a 'contraction' of political-administrative systems.[4] Critical events, such as a terrorist attack, tend to strengthen the power of the executive and potentially challenge democratic institutions.[5] Both external and internal events may result in restrictions being imposed on recognized liberties in order to achieve more security and they thus alter the balance between the executive and the legislature. Such shifts challenge established and valued democratic principles and should therefore be thoroughly scrutinized and discussed.

Liberties tend to be constrained in the process of re-establishing safety after terrorist attacks. When perceptions of threat or danger increase, liberties tend to shrink[6], and democratic

governments have tended to suppress or modify civil liberties in the aftermath of terrorism.[7] The trade-off thesis is contested, however. Security and liberty may be traded off in some, but not all domains.[8] Privacy and protection from terrorism are not always in conflict, and reducing the protection of privacy does not necessarily increase security from terrorism.[9] Conversely, liberty is not necessarily diminished in all respects when security increases; neither does liberty always increase if security measures decrease.[10]

Public administration research has been rather absent in the debate concerning the question of administrative capacity and legitimacy in turbulent times and unsettled situations, i.e. in crises that typically go beyond routine and "business as usual" situations.[11] This article aims to fill this gap and to that end incorporates crisis management into the public administration research agenda, addressing the challenges the strategic level encounters in handling the trade-off between security and civil liberties.

Since 9/11 and the subsequent 'war on terror', many scholars have argued that the threat from terrorism has lowered Western governments' threshold for introducing strong counter-terrorism measures and heightened people's tolerance of such measures.[12] The trend has been most evident in the US and the UK[13], but far-reaching counter-terrorism legislation has also been passed in Canada, Australia and France, often strengthening the power of the executive.[14] Several other countries, including Norway, passed new counter-terrorism laws and introduced other measures in the wake of 9/11.[15] Such regulations normally give the police and intelligence services considerable new powers in the areas of surveillance, arrest and detention.[16] While an awareness of issues concerning personal freedom, human rights and abuse of power related to counter-terrorism measures is fundamental to democracy, security and protection are also imperative. When the trust in and quality of a political-administrative system is high, it can both encompass open debate about and therefore lack of abuse of delegated authority to strength security measures.

This article focuses on Norway. Norway is an interesting case because it has had very limited experience with terrorism. Until 2011, it had never faced any serious terrorist attack. At the same time it is a high trust society, both in terms of inter-personal trust and trust in governmental actors and institutions.[17] The combination of a historically low threat level, limited previous experience, and a high level of trust, may create a favorable environment for preventive policies, at least for a period of time.[18] A high level of trust relates to what Easton labels 'scoring high on diffuse support',[19] meaning overall trust in the political-administrative system, which represent 'high slack'.[20] An environment that tends to favor and support preventive policies might mean that the discussion of security versus liberty is less prominent and perhaps also less conflict-ridden. The issue is nevertheless important, as both security and liberties are crucial values in a democratic society.

In Norway, the public debate and general attention to the dilemma between security and civil rights have until recently been moderate. A survey conducted in 2007 revealed that the Norwegian population was rather supportive of stronger counter-terrorism measures.[21] Some suggest that this might be explained both by the absence of earlier terrorist attacks and by a lack of earlier formative experiences of authoritarian or intrusive government.[22] On the other hand, the reaction from the Norwegian political leadership represented by the prime minister was muted after the terrorist attack in July 2011, stressing democracy and multi-culturalism as pertinent answers.[23]

When studying the trade-off between security and civil liberty one can focus on different actors and stakeholders. One approach looks at the attitudes of the population, since they are often the first to feel the impact of control measures.[24] Another group that is of interest is politicians, either politicians in general or executive politicians, i.e those in power, in government. In this article, we focus on a third group, namely the attitudes of key civil servants, that is those who are responsible for preparing and implementing security measures decided on

by politicians. Accordingly, a main issue in this article is what characterizes the attitudes towards balancing counter-terrorism measures and civil liberties among administrative decision-makers within the central government bureaucracy. Our main questions are:

- To what extent are civil servants in ministries and central agencies willing to give priority to safeguarding societal security over individual liberty?

- To what extent do such attitudes vary according to structural, cultural and demographic features?

In the following, we first outline the Norwegian context, including the development of the current organization of societal security. This is followed by presenting our theory and empirical expectations. After presenting our data, method and main results, we go on to analyze those results and then conclude, including some limitations.

The Norwegian Context

Norway is characterized as a state-friendly society marked by a high level of trust,[25] which includes a high inter-personal trust and high trust in governmental actors (politicians and administrative leaders) and institutions (Christensen and Lægreid 2005). Surveys of public support for political institutions very often accord Norway a leading position.[26] It has relatively strong collectivistic and egalitarian values, is consensus-orientated and has a low level of internal conflict.[27] High levels of trust combined with tolerance for strong preventive measures seem to reflect a general confidence in government and the state and a corresponding trust in the 'virtuousness of the state' in contrast to the more fundamental skepticism towards central government apparent in the US and other Anglophone countries.[28]

The terrorist events of July 22, 2011, altered the picture of Norway as a peaceful and sheltered corner of the world.[29] Suddenly terror was not a remote threat any longer. A home-grown individual terrorist with extreme anti-muslim attitudes bombed central governmental buildings and attacked a youth camp of the Labour Party, killing 77 people, mostly young party members[30]. The attack had importance both for the legitimacy for the executive political leaders, which increased because they stressed that the country's answer was more democracy, standing together and for supporting traditional values, but also furthering multi-culturalism. This set the tone for more muted reactions, but also gave more leeway for potential preventive measures, i.e. 'we trust our leaders' to evaluate those.

Until 9/11, which also influenced the Norwegian development, counter-terrorism was a rather marginal issue within Norwegian societal security policy.[31] Despite the lack of major acts of terror in Norway until July 2011, the terrorist attacks in Spain and the UK, and certainly 9/11 and the ensuing 'war on terror', were highly relevant in the Norwegian context too.[32] The Norwegian government has since introduced new counter-terrorism regulations.[33] The present Norwegian counter-terrorism laws might not be as radical as those in the US or UK, but they have certainly tipped the balance between liberty and security in favor of security. The aim of extensive parliamentary counter-terrorism legislation was to strengthen the government's capacity to detect and avoid terrorist attacks and as a result democratic rights have been constrained.[34] A main feature in Norway has been a shift of focus from a retrospective to a prospective use of criminal law.[35] The public debate over the introduction of the post 9/11 counter-terrorism measures was, however, limited. Counter-terrorism acts have gradually become more radical and initiatives from the Police Security Service have mainly been approved by the Ministry of Justice and the government and passed through parliament with few changes and rather weak opposition.[36] This indicates that there is a broad support for and trust in the ways the government handles these issues.

A survey from 2007 showed that three out of four Norwegians would accept more surveillance if it made everyday life safer. Norwegian citizens have a rather high level of trust in the government's ability to handle and prevent crises.[37] A majority of the population support the detention of suspects without trial to prevent terrorism. This means that in Norway, progressive legislators might lack the corrective force of skeptical public opinion. Since July 22, citizens have become less satisfied with governmental policy on security-related issues. This goes especially for the specific support for the authorities' handling of crises, but less so for their general support for the government.[38] Overall opinions among citizens about the balance between civil liberties and societal security did not change significantly after the terrorist attack.[39]

The more draconian counter-terrorism laws are contested. The main objection is that they constrain individual rights and civil liberties. While some see the development as a necessary evil to protect citizens' security, others think that it might weaken democracy.[40] A first objection is related to the need for more far-reaching counter-terrorism laws. The argument is that the measures are disproportionate to the risk of being exposed to a terrorist act again.[41] A second objection is related to the question of whether these means are an effective way to fight terrorism. The means-end relationship is contested and the evidence-based knowledge about the effects of the measures is ambiguous and uncertain.[42]

Theoretical perspectives

How to measure the quality of counter-terrorism policies and institutions is a core question.[43] In this article we address this question by applying a structural, a demographic and a cultural perspective based in organization theory[44]. This means that we try to bring this type of theory, often used in the European PA literature, into crisis management studies.

According to a *structural perspective*, political and administrative leaders who have relatively clear intentions and basically achieve their aims dominate decision-making processes in public organizations. The basic underlying premise is that the formal structure of public organizations will channel and influence the models of thought and the actual decision-making behavior of civil servants.[45] Another major precondition is that leaders score high on rational calculation,[46] meaning that they must have relatively clear goals, choose structures that correspond with these goals and have insight into the potential effects of the structures chosen.

A main precondition is that certain civil servants in certain positions, related to hierarchical level and specific tasks, will have an attention structure and possess knowledge that gives them more insight into crisis management and they will therefore assess certain situations differently to civil servants with other positions and tasks. Accordingly, we focus on the importance of six structural variables for understanding variations in perceptions of security among civil servants: *policy area, administrative level, policy area, hierarchical position, type of tasks*, *capacity* and *management tools*.

Regarding *administrative level,* we distinguish between ministries and subordinate central agencies. The expectation is that the ministries will be less in favor of trading off individual rights for security owing to their superior position with a more coherent and holistic approach closer to the political executive, while the central agencies are more specialized and closer to the specific threats and risks, which will foster more focus on security.

The relevance of *policy area,* a reflex of internal specialization in central government, is measured by drawing a distinction between ministries and agencies more directly involved in societal security and crisis management and those that are not. We expect civil servants in agencies and ministries with a specific crisis-management responsibility to assess draconian counter-terror measures more positively than those who do not belong to such policy areas.[47] More specifically, we distinguish on the one hand between the Ministry of Defense, the Police

Department and Department of Public Security in the Ministry of Justice and Public Security, the National Security Agency, the National Police Directorate, the Directorate for Civil Protection and Emergency Planning and the Directorate for Emergency Communication, and on the other hand, all other ministries and central agencies.

Furthermore, our expectation is *hierarchical structural position*, that is, seeing crisis management from different points of departure and performing tasks that involve a wider knowledge base, broader networks and activities, will lead to variations in the assessment of central questions of crisis management. Our general assumption is that civil servants in leadership positions will generally see the use of crisis management tools more positively than employees without such leadership responsibilities. Leaders are primarily expected to attend to or to be responsible for preventing and handling crises and they will therefore see them from a top hierarchical-coordinative perspective.

When it comes to *capacity* our expectation is that civil servants who assess the authorities' ability to reduce risk and prevent big accidents and disasters as high will be more willing than others to trade off individual liberties for societal security. In addition, we would expect civil servants whose main tasks involve *staff functions* to have a more positive attitude to radical counter-terrorism measures than civil servants with other tasks because their daily work brings them more into contact with crisis prevention and handling. This goes especially for employees whose main task is Human Resources. The last structural variable used is having a diverse set of *management tools*, in other words, we presuppose that the extensive use of risk management tools might indicate a positive attitude toward the use of radical counter-terrorism measures.

Second, we use a *demographic perspective* and a set of demographic variables as explanatory factors for different perceptions of crisis management.[48] The focus here is on where civil servants come from and the social background they bring with them into the ministries

and central agencies regarding experience, norms, values and competence, rather than where they are located in the organizational structure or the administrative culture.

The general reasoning here is that civil servants, through their socioeconomic background or their individual careers, have acquired certain norms and values that are relevant in their jobs.[49] The more specific question will be whether such differences in background systematically lead to variations in their perception of crisis management, which is more challenging. Our first expectation is that civil servants who are older and have a longer tenure will perceive the crisis management questions differently to their younger, less experienced colleagues and will be more supportive of strong measures. This will be the case especially if they were working in the ministries and central agencies before the bomb explosion in 2011; we would then expect them to be more willing to trade off liberty for security than civil servants who entered the service after the terrorist attack.

We also expect gender differences, with men taking a more positive attitude towards the authorities' preventive measures and women caring more about individual rights. In addition, we examine whether educational background helps to explain the variation. We would expect civil servants with an education in law and social sciences to stress individual rights more than other educational groups.

The third perspective used in the analysis is the *cultural-institutional* one.[50] This perspective views the development of a public organization as based on historical traditions, path dependency and informal norms and values.[51] Actors will think and act according to a logic of appropriateness, not one of consequence. What is appropriate for a civil servant to do is defined by the institution to which he or she belongs and where he or she will have internalized cultural norms through socialization.[52]

The first cultural variable used is *mutual trust* between ministry and central agencies are central characteristics and they make it possible to coordinate many activities in ways that make

them mutually consistent. A high level of mutual trust tends to enhance appropriate behavior and vice versa. In civil service systems with strong vertical sector relationships, such as the Norwegian one, civil servants know how to act and this creates and maintains trust relationships within the different sectors.[53] Therefore, people in ministries and central agencies with a high level of mutual trust are expected to be more willing to trade off individual rights for security than others.

The second cultural variable is *identity*, measured as whether the civil servants have a high level of identification with their own organization (ministry/agency). The expectation is that scoring high on identity with own governmental organization imply being willing to emphasize societal security measures more, because they have internalized organizational values and norms regarding safety and security which is a core responsibility for public sector organizations.

A third cultural variable is *level of* conflict in own area of work. Our expectation is that civil servants working in a policy area with a high level of *conflict* may be less likely to trade off individual rights for security, because this creates more insecurity and less trust. Fourth, we also expect civil servants focusing more on *transparency* to be more skeptical about accepting draconian counter-terrorism measures, which could be seen as running counter to individual rights.

Data sources

The empirical data in this article consists of a web survey of civil servants in Norwegian ministries and central agencies conducted in 2016, run by the authors and being part of the Norwegian Administrative Survey done every 10th year since 1976 by the same research group. It is a comprehensive survey covering the civil servants perceptions regarding their work and administrative reforms, their participation and contact pattern, as well as structural features,

tasks and demographic features. All civil servants with at least one year tenure, from executive officers to top civil servants in the ministries, and every third civil servant in the central agencies, randomly selected were included. In total, 2322 employees from the ministries and 1963 from the central agencies answered the survey. The response rate was 60.1 % in the ministries and 58.9 % in the agencies, overall a very high response rate. It is a unique survey, which is representative for the civil servants in the Norwegian central government.

The civil servants were asked the following questions: *How willing are you to accept safeguarding societal security at the expense of individual liberty (for example privacy).* We asked the respondents to rank their answers from 1 (*very willing*) to 5 (*not at all*). In total, 1630 employees in the ministries and 1233 in the central agencies answered this question. Thus, 692 respondents (30 %) in the ministries and 730 respondents in the central agencies (37%) did not answer, most probably because they had no opinion on this issue or the question was not relevant for them. These respondents are excluded from the analyses in this article leaving us with those civil servants who had expressed an opinion on this issue.   The survey was conducted six years after the terrorist attack which affected the public debate on this issue for at least six years afterwords. The terrorist attack was the main event that likely shaped the views on this issue among the civil servants at this time.

The trade-off between societal security and individual liberties

Table 1 reveals, first, that there is a rather strong agreement between citizens and civil servants about their willingness to trade-off individual liberty for societal security. Overall, more are willing than unwilling to do this, but the skepticism is somewhat higher in the population: 28% are unwilling or very unwilling to trade off individual liberties for societal security in the population, in contrast to 19% in central agencies. Second, there is a high compliance between

civil servants in ministries and central agencies on this issue: While 37% are willing, only 20% are unwilling to trade-off individual liberty for societal security. This picture echoes the high trust context of Norwegian society and the government system. High generalized trust and also high trust in government among citizens results in a high level of willingness both within the government apparatus and among the citizens to accept that individual rights might be traded off against societal security. There is no big gap in these perceptions between the general public and central government officials.

TABLE 1 IN ABOUT HERE

Multivariate analysis

We now turn to the relative explanatory power of the different independent variables. In the multivariate analysis, we only included those independent variables that showed statistically significant bivariate correlations concerning the trade-off between social security and individual rights.

The main results (Table 2) are, first, that the independent variables can only explain a minor part of the total variation in the civil servants' perceptions. Second, there is no one-factor explanation for variations in the trade-off between societal security and individual rights. Overall, we find that structural, demographic and cultural features matter.

TABLE 2 IN ABOUT HERE

Third, regarding *structural features,* the strongest factor is administrative capacity to reduce risks, followed by tasks, policy area and position. Civil servants who assess the government's ability to reduce risks and prevent major accidents and catastrophes as good are more willing to trade off individual rights for societal security. The same goes for those who work in the policy areas connected with societal security and crisis management, whose main tasks are in Human Resources and who are in management or executive positions.

Fourth, regarding *demographic features,* age and gender matter. Older employees and women are more willing to trade off individual rights for societal security than men and younger employees. These relationships hold up after controlling for structural and cultural features.

Fifth, when it comes to *cultural features,* employees who perceive a high level of mutual trust between ministries and central agencies and a low level of conflict in their own field of work and who identify strongly with their own ministry or agency are more willing to trade-off individual rights for societal security.

Analysis: Structural, cultural and demographic factors matter

Returning to our expectations regarding the relationship between the different structural, demographic and cultural features, we see that 8 out of 15 expectations are supported (Table 3). Four of the seven structural features seem to make a difference: policy area, position, tasks and capacity. Civil servants in the policy area of internal security and crisis management, who have Human Resources as a main task, who are in management or executive positions and who assess the capacity for reducing risk and preventing crises as good are more willing to trade-off individual rights for societal security. There is, however, no significant variation according to whether they work in ministries or central agencies, whether they were in the government complex when the terrorist attack struck or whether they see risk management as important.

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TABLE 3 IN ABOUT HERE

Only one of our expectations regarding the importance of demographic features is supported: older people are more in favor of trading-off individual rights for societal security than younger people are. There is also an effect of gender but in a different direction to what we expected. Women are more willing to accept radical counter-terrorism measures than men. There is no effect of tenure or education.

The three expectations from the cultural perspective are supported: a high level of mutual trust between ministries and central agencies, a low level of conflict in own field of work and a high level of identity with own organization all seem to strengthen acceptance of draconian anti-terrorism measures. There is no effect of transparency and openness.

Summing up, our expectations regarding structural and cultural features seem to get more support than the demographic variables (one out of four). Among civil servants, the strongest support for security over liberties is highest in the following groups:

- Works in the policy area of societal security and crisis management

- In a management or executive position

- Works in Human Resources

- High perceived capacity for reducing risks and preventing crises

- Older civil servants

- Women

- High level of mutual trust between ministries and central agencies

- Low level of conflict in own work area

- High level of identification with own organization

Taken together this yields a pattern that is in line with a transformative approach,[54] which states that central features of public administration can be better understood by combining different theoretical perspectives. The different perspectives are supplementary rather than alternative in their explanatory power,[55] indicating that there is a need to synthesize theories on understanding perceptions and actions in government. Instead of setting structural and cultural features against each other as alternatives, as has commonly been done in the Norwegian debate,[56] the insight from these data is that instead we should look at the interplay between structural and cultural features and also take demography into consideration.[57]

This means that threat perceptions and willingness to trade-off individual rights for security do not exist independently of management or political processes and play out within structural, cultural and demographic constraints. Representations of risk and how it is dealt with, and the organization's set of tools to handle threats coexist in specific political and organizational contexts. The policies pursued in the crisis aftermath might create opportunities for a change of policy in the long run and result in the introduction of preventive measures that may be only remotely related to specific experiences, lessons learned or attitudes expressed. On the other hand, we might also have to accept that we cannot avert all threats and that security and safety cannot always be restored by the use of stronger security measures.

If we look at the three main groups of independent variables, the *structural variables* mostly show an expected pattern. The results partly allude to hierarchy and partly to special competence and tasks. Managers and executives are more willing than others to balance in favor of security, which is probably because they feel an extra responsibility for these concerns, but also because they have a more overall and holistic perspective and experience, which leads them to see these measures as necessary. Another hierarchy-oriented variable, namely

administrative level, has no effect, however, which indicates that the division of tasks between ministries and agencies regarding these questions is not that clear in reality.

Concerning specialized competence, both civil servants working directly in the field of societal security and risk management and those working close to such tasks related to Human Resources score high on using strong measures, most likely because of their exposure to and expertise in this area. Perceived high capacity to reduce risks or prevent crises also belongs to this pattern. The reason why those who say that risk management is an important tool do not score very high may be that in the Norwegian public sector this is a more generalist tool used everywhere.

The results for the *demographic variables* are rather ambiguous. The only expected result is that older employees support stronger security measures, which may reflect the fact that people tend to worry more as they get older, or possible become more cynical. At the same time, tenure does not have a similar effect, which may be because tenure is more related to an accumulation of various experiences.[58] We expected men to be more supportive of security over liberty, but we found the opposite. Perhaps women feel more vulnerable in crises than men?[59] We find no effect of education, which is also rather surprising. A viable explanation for this could be that civil servants educated in law and social sciences in modern bureaucracies tend to be generalists working in a variety of fields and therefore have not acquired special competence or attitudes related to this issue.

The cultural variables show the expected pattern. High mutual trust between ministries and agencies alludes to what Krasner labels 'scoring high on cultural width and depth', which are essential parts of institutionalization processes.[60] These features are supposedly strong when there is a lack of conflict and high level of identity with own orgnaization. So the reasoning based on these results is that if integrative features, as March and Olsen label them,[61] are strong in an institution, its employees will be more convinced that the system can cope with and

withstand more draconian measures (i.e., more security) for some time. This again alludes to the concept mentioned earlier, namely diffuse support, coined by Easton,[62] meaning a generalized trust in the system, or to Cyert and March's notion of 'slack' in an organization.[63] The only cultural variable that does not show any statistical effect is transparency, which may reflect the fact that this feature is so well established that it is not strongly related to the trade-off question.

Conclusion

This article has addressed how willing civil servants and citizens are to trade off individual liberties for security after a major terrorist attack in a high trust context and how civil servants' perceptions vary according to structural, cultural and demographic features. First, we have shown that the overall attitudes to this question among central government officials are rather similar to the attitudes of the population. From a democratic point of view and regarding governance legitimacy, this is a good sign. It may reflect that Norway is a relatively homogeneous and safe society. It also indicates that there is no significant legitimacy problem in this policy area. The implication is that the Norwegian authorities will have the support of citizens in the event of a new terrorist attack. One reason for this is that diffuse support is high and there are extra resources readily available.[64] A reasonable supposition following from this is that democratic states seem capable of reducing fear of terrorism among their citizens, and terrorism might therefore have a relatively weaker impact on that fear.[65] This might also mean that citizens' willingness to trade off individual liberties against security in this context will be rather high.

Second, we found that civil servants are more willing than unwilling to trade off individual rights for security. This is somewhat surprising given that Norway can be categorized as belonging to a reconciliatory model of counter-terrorism, in contrast to the more hardline

models focusing on criminal justice and warfare.[66] This leads us to believe that stronger democracies might be more likely to use reconciliatory measures, even when facing terrorist attacks with strong symbolic power. The nature of the terrorist attack and the appropriateness and legitimacy of the use of hardline counter-terrorism measures seem to make a difference. In any country facing a terrorist attack, the government will probably want to act when the issue of security is current, in order to be seen as proactive. By introducing and supporting counter-terrorism measures, politicians and government officials try to tackle criticism and avoid blame-games. Worldwide there has been a response to a new managerial and political climate of 'security precautions' in the wake of 9/11 and other international terror attacks.[67] In Norway, the experiences of Oslo and Utøya and the introduction of stronger counter-terrorism measures in their wake add to this.

Third, we found significant variations in the way civil servants address the trade-off between individual rights and security. Security and liberties might be traded off more in some domains than in others. Some structural and cultural features as well as demographic factors constrain the trade-off among civil servants while others enable and drive the balance in other directions. Rather than converging to one common view, we see a lot of complexity and divergence among government staff. What tasks, policy area, and positions the civil servant has matters, as does perceived crisis management capacity. Civil servants who are most exposed to and responsible for crisis management are more willing to trade off individual rights than those who are more at arm's length from this field in their daily work. Such features, in combination with a low level of conflict, a high level of mutual trust and strongly identifying with own organization tend to make civil servants favor security measures more strongly. In addition, age and gender also matter.

How to balance civil rights and security is a dilemma denoting a tension between competing alternatives that pose clear advantages and disadvantages. But such a dilemma might

also have paradoxical features seen in a longer time-horizon. A certain chosen balance between security and individual freedom might be temporary and tensions might resurface.[68] The more civil servants stress the advantages of one, the more this might accentuate the opposite. When civil servants work to strengthen security this might at the same time accentuate arguments for safeguarding civil rights and individual freedoms to secure legitimacy. Thus, the organizational tension represented by the dilemma between security and civil liberties might not necessarily be seen as contradictory. The overall organizational performance might depend more on addressing security and civil rights simultaneously, and in this regard they might actually reinforce each other.

A few limitations regarding this analysis should be mentioned. First, related to the previous argument, we have no process data that make it possible to trace the dynamics between security and civil rights over time. Second, the trade-off between individual rights and security is mainly seen from the central government point of view. Here, the strategic and policy-making level is in the foreground. We do not know how the picture would look from the perspective of civil servants who handle crises on the ground or at the operational level, or how officials working at the local, regional and supra-national levels would assess this trade-off. Third, our focus on Norway constrains the possibilities for generalizing outside the high trust, representative democracies in Scandinavia. Fourth, the survey taps perceptions about the trade-off on a general level but does not consider more objective or specific counter-terrorism measures or specific types of individual rights and liberties. Fifth, our data can only reveal a cross-sectional snapshot of the situation in 2016 and hence tell us little about different starting points and change over time. Sixth, all our variables are from the same survey, indicating that a common source bias might be a concern.[69] This last problem is, however, reduced by using structural and demographic variables as independent variables. Finally, a multi-level analysis

might give a more nuanced picture, allowing us to examine the importance of individual-level explanations in relation to organizational level variables.[70]

In spite of these limitations, we argue that the data employed in this article provide a rich empirical backdrop against which to assess our theoretical arguments. They allow us to measure variations in civil servants' perceptions regarding the trade-off between societal security and individual liberties across different positions and policy areas and across the ministry/central agency divide, taking into account both cultural and demographic features. This gives us new insights for considering the important and delicate balance between societal security and individual liberties.

Table 1. *How willing are you to accept safeguarding societal security at the expense of individual liberty (for example privacy)*. Civil servants in ministries and central agencies and citizens. Percentages.

	Ministries and central agencies 2016	Citizens 2013–2014
Very willing	8.0	7.7
Willing	29.3	25.7
Somewhat willing	43.2	38.4
Unwilling	16.9	21.3
Very unwilling	2.6	6.7
N	2863	2337

The data for citizens are based on an identical question asked of a representative sample of Norwegian citizens over the age of 18 in November 2013-January 2014, conducted
by the Norwegian Citizen Panel: https://digsscore.uib.no/panel

Table 2. *Trade-off between societal security and civil rights by structural, demographic and cultural features. Linear Regression. Standardized Beta coefficients.*

	Beta
Structural features:	
- Policy area (emergency/societal security)	.06**
- Position	-.05**
- Tasks (Human Resources)	.06**
- Capacity to reduce risk for crisis	.11***
Demographic features:	
- Age	-.08***
- Gender	-.11***
Cultural features:	
- Mutual trust	.07***
- Identity with own ministry/central agency	.04*
- Conflict	.06**
R2: .06 F: 12.962 Sign.: .000	

*: Sign at .05 level; **: sign. at .01-level; ***: sign at .001 level

Table 3. Trading off individual rights for societal security. Support for hypotheses

Hypotheses: In favor of trading off individual liberties for societal security	Supported or not
Structural features:	
-<u>Administrative level</u>: Central agencies	No
-<u>Policy area</u>: Societal security and crisis management	Yes
-<u>Position</u>: Managers and executives	Yes
-<u>Tasks</u>: Employees with Human Resource Management as main task	Yes
-<u>Management tools</u>: Risk management is an important tool	No
-<u>Capacity</u>: High capacity to reduce risk or prevent crises	Yes
Demographic features:	
-<u>Age</u>: Older employees	Yes
-<u>Gender</u>: Men	No
-<u>Tenure</u>: Long	No
-<u>Education</u>: Not law/political science/social science	No
Cultural features:	
-<u>Mutual trust</u>: High level	Yes
-<u>Identity</u>: Strong identity related to own ministry/central agency	Yes
-<u>Conflict</u>: Low level	Yes
-<u>Transparency</u>: Transparency and openness not important	No

Notes

[1] A.L. Fimreite, P. Lango, P. Lægreid and L.H. Rykkja, "After Oslo and Utøya: A Shift in the balance between Security and Liberty in Norway?" *Studies in Conflict & Terrorism* 36, no. 10 (2013): 839–856.

[2] L.M. Kuzma, "Security versus Liberty" in W. Crotty, *The Politics of Terror. The U.S. response to 9/11*, ed. (Boston: North Eastern University Press, 2004).

[3] T. Christensen, P. Lægreid and L.H. Rykkja, "Organizing for Crisis Management: Building Governance Capacity and Legitimacy," *Public Administration Review* 76, no. 6 (2016): 887-897.

[4] T. Christensen and P. Lægreid, "A Transformative Perspective," in *Theories and Practice of Public Sector Reform* eds. S. Van de Walle and S. Groeneveld (London: Routledge, 2016).

[5] J.E. Owens, and R. Pelizzo, *The "War on Terror" and the Growth of Executive Power? A Comparative Analysis,* eds. (London: Routledge, 2010).

[6] D.W. Davis and B.D. Silver, "Public Opinion in the Context of the Terrorist Attacks on America," *American Journal of Political Science* 48, no. 1 (2004): 28–46, C.W. Lewis, "The Clash between Security and Liberty in the U.S. Response to Terror," *Public Administration Review* 65, no. 1 (2005): 18–30, M. Sidel, *More Secure – Less Free?* (Ann Arbor: University of Michigan Press, Viscusi, 2004), W. K. and R. J. Zeckhauser, "Sacrificing civil liberties to reduce terrorism risks," *Journal of Risk and Uncertainty* 26, no. 2-3 (2003): 99–120, C. Bozolli, and C. Müller, "Perceptions and attitudes following a terrorist shock: Evidence from the UK," *European Journal of Political Economy* 27, SI1 (2011): 89–106, W. Crotty, *The Politics of Terror. The U.S. Response to 9/11*, ed. (Boston: North Eastern University Press, 2004).

[7] L.K. Donohue, *Counter-Terrorist Laws and Emergency powers in the United Kingdom, 1922–2000* (Portland: Irish Academic 2001), M. Epifanio, "Legislative response to international terrorism", *Journal of Peace Research* 48, no. 3 (2011): 399–411, D.F. Kettl, *System under stress. Homeland security and American politics* (Washington: CQ Press, 2004).

[8] E. Shor, L. Baccini, C.-T. Tsai, T.-H. Lin and T.C. Chen, "Counterterrorism Legislation and Respect for Civil Liberties: An Inevitable Collusion?" *Studies in Conflict & Terrorism* 41 no. 5 (2018): 339-364.

[9] T. Dragu, "Is there a Trade-off between Security and Liberty? Executive Bias, Privacy Protection and Terrorism Prevention" *American Political Science Review* 105, no. 1 (2011): 64–78.

[10] J. Waldrone, "Security and Liberty. The Image of Balance." *Journal of Political Philosophy* 11, no. 2: (2003): 191-210.

[11] A. Boin and M. Lodge, "Designing resilient institutions for transboundary crisis management: A time for public administration," *Public Administration* 94, no. 2 (2016): 289–298.

[12] Epifanio, "Legislative response to international terrorism", J.P. Lehrke, and R. Schomaker, "Mechanisms of Convergence in Domestic Counterterrorism Regulations: American Influence, Domestic Needs, and International Networks," *Studies in Conflict & Terrorism* 37, no. 8 (2014): 689–712, E. Pokalova, "Legislative Responses to Terrorism: What Drives States to Adopt New Counterterrorism Legislation?" *Terrorism and Political Violence* 27, no. 3 (2015): 474–496, D. A. Christensen, J. Aars and L.H. Rykkja "Counterterrorist Legislation and Belief in Democracy: A Longitudinal Study" in *Societal Security and Crisis Management. Governance Capacity and Legitimacy*, eds. P. Lægreid and L.H. Rykkja, (London: Palgrave Macmillan, forthcoming 2018).

[13] D. Haubrich, "September 11, Anti Terror laws and Civil Liberties: Britain, France and Germany Compared," *Governance and Opposition* 38, no. 1 (2003): 3–28.

[14] Owens and Pelizzo, *The "War on Terror" and the Growth of Executive Power? A Comparative Analysis*, M. Shepard, "Parliamentary scrutiny and oversight of the British 'war on terror': surrendering power to Parliament or plus ça change?" in *The "War on Terror" and the Growth of Executive Power? A Comparative Analysis*, J.E. Owens and R. Pelizzo eds. (London: Routledge, 2010).

[15] E. J. Husabø, "Counterterrorism and the expansion of proactive police powers in the Nordic states", *Journal of Scandinavian Studies in Criminology and Crime Prevention* 14, no. 1 (2013): 3–23, J.O. Engene, "Terrorism, counterterrorism and democracy" in *Democratic Transformations in Europe – Challenges and Prospects,* Y. Peters and M. Tatham eds. (London and New York: Routledge 2016).

[16] M. Rix, "Australia's Anti-Terrorism Legislation: The National Security State and the Community Legal Sector." *Prometheus* 24, no. 3 (2006): 429–439.

[17] T. Christensen and P. Lægreid, "Trust in Government: The Relative Importance of Service Satisfaction, Political Factors and Demography", *Public Performance & Management Review*, 28, no 4 (2005):487-511.

[18] L. H. Rykkja, A.L. Fimreite and P. Lægreid, "Attitudes towards anti-terror measures: the role of trust, political affiliation and civil liberties support," *Critical Studies of Terrorism* 4, no. 2 (2011): 219–237; Fimreite et al. "After Oslo and Utøya: A Shift in the balance between Security and Liberty in Norway?"

[19] D. Easton, *A Framework for Political Analysis* (Englewood Cliffs: Prentice-Hall, 1965).

[20] R.M. Cyert and J.D. March, *A Behavioral Theory of the Firm. (*Englewood Cliffs, N.J.: Prentice-Hall, 1963)

[21] Rykkja, Fimreite and Lægreid "Attitudes towards anti-terror measures: the role of trust, political affiliation and civil liberties support."

[22] Owens and Pelizzo, *The "War on Terror" and the Growth of Executive Power? A Comparative Analysis*.

[23] T. Christensen, P. Lægreid and L.H. Rykkja, "The Challenges of Coordination in National Security Management – the Case of the Terrorist Attack in Norway," *International Review of Administrative Sciences* 81, no. 2 (2015): 352-372.

[24] T. Christensen, A.L. Fimreite, and P. Lægreid, "Crisis Management – The Perceptions of Citizens and Civil Servants in Norway," *Administration & Society* 43, no. 5 (2011):561–594, Christensen, Aars and Rykkja, "Counterterrorist Legislation and Belief in Democracy: A Longitudinal Study".

[25] B. Rothstein and D. Stolle, "Introduction: Social Capital in Scandinavia." *Scandinavian Political Studies* 26, no. 1 (2003): 1–26.

[26] G. Catterberg and A. Moreno, "The Individual Bases of Political Trust: Trends in New and Established Democracies" *International Journal of Public Opinion Research* 18, no. 1 (2005): 31–48, M. Kim, "Citizens' Confidence in Government, Parliament and Political Parties." *Politics and Policy* 23, no. 3 (2007): 496–521.

[27] T. Christensen, "Narratives of Norwegian Governance. Elaborating the strong state tradition," *Public Administration* 81, no. 1 (2003): 163-190.

[28] P. Norris, "Introduction: The Growth of Critical Citizens?" in *Critical Citizens. Global Support for Democratic Governance*, P. Norris ed. (Oxford: Oxford University Press, 1999): 1–30, J.S. Nye, P.D. Zelikow and D.C. King, *Why People Don't Trust Government*, (Harvard: Harvard University Press 1997).

[29] Christensen and Aars, "The 22 July terrorist Attacks in Norway: Impact on Public attitudes towards Counterterrorist authorities."

[30] T. Christensen, P.Lægreid and L.H. Rykkja, "After a terrorist attack: challenges for political and administrative leadership". *Journal of Contingencies and Crisis Management*, 21, no 3 (2013): 167-177.

[31] T. Nyhamar, "Norway's Counterterrorism Policy," in *How States Fight Terrorism. Policy Dynamics in the West*, D. Zimmermann and A. Wenger eds. (Boulder and London: Lynne Rienner Publishers, 2007): 79–89.

[32] I. Nordenhaug and J.O. Engene, *Norge i kamp mot terrorisme* (Oslo: Universitetsforlaget, 2008).

[33] Rykkja, Fimreite and Lægreid, "Attitudes towards anti-terror measures: the role of trust, political affiliation and civil liberties support."

[34] Christensen, Aars and Rykkja, "Counterterrorist Legislation and Belief in Democracy: A Longitudinal Study", L. Diamond, "Facing up to democratic recession," *Journal of Democracy* 26, no. 1 (2015): 141–155.

[35] Husabø, "Counterterrorism and the expansion of proactive police powers in the Nordic states."

[36] A. Ryssdal, *Politiets tryggleiksteneste i endring?* (Master Thesis, University of Bergen, 2017).

[37] Rykkja, Fimreite and Lægreid, "Attitudes towards anti-terror measures: the role of trust, political affiliation and civil liberties support."

[38] Christensen and Aars, "The 22 July terrorist Attacks in Norway: Impact on Public attitudes towards Counterterrorist authorities."

[39] Fimreite, Lango, Lægreid and Rykkja, "After Oslo and Utøya: A Shift in the balance between Security and Liberty in Norway?"

[40] Engene, "Terrorism, counterterrorism and democracy."

[41] Christensen and Aars, "The 22 July terrorist Attacks in Norway: Impact on Public attitudes towards Counterterrorist authorities," J. Mueller and M.G. Stewart, "Terrorism delusion: America's overwrought response to September 11," *International Security* 37, no. 1 (2012): 81–110, C. Pantazis and S. Pemberton, "Policy transfer and the UK's' war on terror': a political economy approach". *Policy & Politics* 37, no. 3 (2009): 363–387, C.R. Sunstein, "Fear and liberty," *Social Research* (2004): 967–996.

[42] Engene, "Terrorism, counterterrorism and democracy," Mueller and Stewart "Terrorism delusion: America's overwrought response to September 11," Sunstein "Fear and liberty."

[43] S. Kuipers, S., A. Boin, R. Bossong and H. Hegemann, "Building joint crisis management capacity. Civil security systems in 22 European countries," *Risk, Hazard and Crises in Public Polic*y 6, no. 1 (2015): 1-21, D.A. Christensen, and J. Aars, "The 22 July terrorist Attacks in Norway: Impact on Public attitudes towards Counterterrorist authorities," *Scandinavian Political Studies* 40, no. 3 (2017).

[44] T. Christensen, P. Lægreid, P.G. Roness and K.A. Røvik (2007). *Organization Theory and the Public Sector*. London: Routledge.

[45] M. Egeberg, "How bureaucratic structure matters," in *Handbook of Public Administration*, J. Pierre and B.G. Peters eds. (London: Sage, 2003), H.A. Simon, "A behavioural model of rational choice," *Quarterly Journal of Economics* 69, February (1955):99-118.

[46] R. A. Dahl and C.E. Lindblom, *Politics, Economics, and Welfare* (New York: Harper & Row, 1953).

[47] Dragu, "Is there a Trade-off between Security and Liberty? Executive Bias, Privacy Protection and Terrorism Prevention."

[48] T. Christensen and P. Lægreid, "Living in the Past? –Change and Continuity in the Norwegian Central Civil Service" *Public Administration Review* 69, no. 5 (2009): 951–961, P. Lægreid, and J.P. Olsen, *Byråkrati og beslutninger* (Oslo: Universitetsforlaget, 1978), J. Pfeffer, "Organizational Demography," in *Research in Organizational Behavior vol. 5*, L. L. Cummings and B. M. Staw eds. (Greenwich, CT: JAI Press, 1983): 299–357.

[49] Christensen and Lægreid, "Living in the Past? –Change and Continuity in the Norwegian Central Civil Service."

[50] P. Selznick, *Leadership in Administration* (New York: Harper & Row, 1957), T. Christensen, P. Lægreid, P.G. Roness and K.A. Røvik, *Organization Theory and the Public Sector* (London: Routledge, 2007).

[51] S. Krasner, "Sovereignty: An institutional perspective," *Comparative Political Studies* 21, (1988): 66–94, J.G. March, *A Primer of Decision-Making*, (New York: The Free Press, 1994).

[52] J.G. March, and J. P. Olsen, *Rediscovering Institutions: The Organizational Basis of Politics* (New York: The Free Press, 1989).

[53] Fimreite et al. "After Oslo and Utøya: A Shift in the balance between Security and Liberty in Norway?"

[54] Christensen and Lægreid, "A Transformative Perspective."

[55] K. Verhoest, P. Roness, B. Verchure, K. Rubecksen, M. MacCarthaigh, *Autonomy and Control of State Agencies* (London: Palgrave, 2010).

[56] NOU 2012: 14 *Rapport fra 22. Juli-kommisjonen*. Oslo: Departementenes Servicesenter (Oslo: Departementenes servicesenter, 2012), A. L. Fimreite, P. Lango, P. Lægreid and L.H. Rykkja, eds. *Organisering, samfunnssikkerhet og krisehåndtering*, 2nd ed. (Oslo: Universitetsforlaget 2014).

[57] Christensen and Lægreid, "Living in the Past? –Change and Continuity in the Norwegian Central Civil Service"

[58] Christensen and Lægreid, ibid.

[59] P. Liu and L. Ma, "Food Scandals, media exposure, and citizens' safety concerns: A multilevel analyses across Chinese cities". *Food Policy* 63 (2016): 102-111.

[60] Krasner, "Sovereignty: An institutional perspective."

[61] March and Olsen *Rediscovering Institutions: The Organizational Basis of Politics*.

[62] Easton *A Framework for Political Analysis*.

[63] R.M Cyert, and J.G. March, *A behavioral theory of the firm* (Englewood Cliffs, N.J.: Prentice-Hall, 1963).

[64] Easton, *A Framework for Political Analysis*.

[65] D.A. Christensen and J. Aars, "Does Democracy Decrease Fear of Terrorism?" *Terrorism and Political Violence* (Online, 2017). https://doi.org/10.1080/09546553.2017.1287700

[66] Perlinger, "How Democracies respond to Terrorism: Regime Characteristics, Symbolic Power and Counterterrorism."

[67] A. Boin, P. 't Hart, E. Stern, and B. Sundelius, *The Politics of Crisis Management. Public Leadership under Pressure* (Cambridge and New York: Cambridge University Press, 2005).

[68] W.K. Smith and M.W. Lewis, "Towards a theory of paradox: A dynamic equilibrium model of organizing", *Academy of Management Review* 36, no. 2 (2011): 381–403.

[69] K.J. Meier and L.J. O'Toole, "Subjective Organizational performance and measurement Errors: Common Source Bias and Spurious Relationships," *Journal of Public Administration Research and Theory* 23, no. 2 (2013): 429–456.

[70] Christensen and Aars, "Does Democracy Decrease Fear of Terrorism?"