

THESIS

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The influence of cultural principles in the Defence Intelligence and Security Service and the National Police on their collaboration

How cultural principles can affect an inter-agency approach to contemporary threats

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Abstract

Earlier academic research shows that the many-sided and transnational characteristics of present-day security threats demand an interagency approach by governmental institutions concerned with state security. Consequently the distinction between the domains of law enforcement and intelligence is blurring. Intelligence agencies carry out more operations in the realm of local communities and societal dynamics, predominantly the domain of the police and other law enforcement agencies, whereas police units with national responsibilities are gathering intelligence on major strategic state security threats as well.

Despite the converging interests between law enforcement agencies and intelligence services, effective collaboration may not come naturally since in most western countries the two domains are knowingly separated by laws and regulations for decades. This artificial segregation is designed to avoid a development of the nation into a 'police state' and to prevent classified intelligence, sources and methods inevitably becoming public and disclosed when it is used for prosecution purposes. However, the segregation may have created disinclinations for cooperation wherever appropriate, desirable and (given the judicial possibilities) allowed. In the Netherlands, academic research indeed indicated that cooperation between the National Police (NP) and the General Intelligence and Security Service was impeded, amongst other reasons by rooted cultural principles in both organizations.

The interests of the Dutch Defence Intelligence and Security Service (NLD DISS) and the NP are converging as well. Direct cooperation and the exchange of information between them is therefore desirable. The purpose of this research was to point out cultural principles in these organizations which are cooperation encouraging and feasible to adopt (a normative ideal). The research also aimed - given the normative ideal - to discern the cultural principles that are currently present in the NP and the NLD DISS which conflict with collaboration, in other words the cultural shortcomings. Of importance is that relevant articles from valid laws (and their explanatory memorandums) dictated the scope of the research, not so much existing regulations. After all, the latter can be self-inflicted if somehow the interpretation of these laws is too strict. The research question has been the following.

“Which cultural principles can encourage collaboration between the Defence Intelligence and Security Service and the National Police, and what are at the moment – compared with this normative ideal – the featuring cultural principles (and their consequences) which hamper this cooperation?”

A normative ideal for cultural principles which favour cooperation is deduced from relevant academic insights gained during earlier research in (the distinction between) law enforcement and intelligence, as well as in organizational cultures. Subsequently a case-study is carried out in order to compare the normative ideal with the current situation in the NLD DISS and the NP.

The most noteworthy academic insights are the following. Despite their converging interests, some differences between law enforcement and intelligence are inextricably bound up with these domains. Intelligence services have a pre-dominantly pro-active attitude and act in secrecy while law enforcement agencies have a pre-dominantly reactive attitude and act in public. Nonetheless, the two domains have common dimensions. These are their missions (their responsibilities to safeguard the nation from threats), their resources (like their authority for surveillance and other methods of collection, but also the analyses of information), the convergence of targets and cross-border activities. Arguably, improving cooperation along the lines of the common dimensions is the most promising way to go forward.

Academic insights suggest that a cultural end state which features flexibility, promotes discretion and has an external orientation is desirable for more effective collaboration. In order to reach that end state certain objectives must be strived after. It concerns a collective identity, involvement, and a joint sense of mission. Enablers or drivers which can contribute to this ambition are 'familiarity' (with the other organization and its requirements), '(mutual) trust', the existence of 'informal personal channels' between both organizations, 'mission convergence', 'leadership support for cooperation', a 'more public (or transparent) attitude' and the change or adoption of some paradigms in favour of cooperation. Earlier research also indicated that both domains are susceptible for certain pathologies, namely 'information hoarding', 'linkage blindness' (not knowing or realizing another agency is in need for certain information) and a difference in subculture (contrasts in cultural styles often indicated by different interpretations of terminology). The research also aimed to find out whether these pathologies are present in both organizations and, if so, what consequences they have for their collaboration.

The discerned enablers were used as starting points for the empirical research. The findings of the case study are the following. First of all, the case study indicated that the NLD DISS and the NP indeed share the common dimensions as deduced during the literature study. The sheer existence of common dimensions confirms that it is possible for the NLD DISS and the NP to collaborate closely for mutual benefit.

The case study made it also clear that if some cultural features are 'replaced with others' the mutual benefit may increase. One of the most prominent findings is that a fear that secret intelligence (and

its sources, methods and information position) becomes public knowledge is ubiquitous in the NLD DISS. In the NLD DISS the hazards of leaking intelligence involved with the dissemination of intelligence products to the NP are dominating the view of the intelligence professionals. The benefits for national security (and in fact for the NLD DISS as well) do not come to mind easily. The fear and the prevailing paradigm of 'secrecy' dominate the direction of the NLD DISS' liaison activities. They negatively influence cultural desirable features like above all trust in the NP, the degree of openness and the prevalence of a paradigm of 'an obligation to share'.

Also, the NLD DISS' mission is not unambiguous and its relation to the mission of the NP is not clear. Therefore there is a lack of familiarity with the requirements of the NP in the NLD DISS, resulting in interagency linkage blindness. Related to this finding is the ubiquitous view in the NLD DISS that intelligence cannot be shared with law enforcement agencies unless there is an immediate necessity for a criminal investigation into alleged terrorists. Consequently the relevance of strategic intelligence - which is not meant for prosecution purposes but for an efficient employment of police means for state security reasons - is not recognised by the intelligence professionals. Thus, in its relation with the NP, the NLD DISS hoards information. Consequently intelligence is not optimally disseminated at the national level (given the legal possibilities). Since the paradigm of thinking in 'the logic of consequences' is not taken for granted, recognizing and subsequently searching for possible solutions to these kind of shortcomings does not come naturally in the NLD DISS.

Not surprisingly, but for the purpose of better cooperation with the NP nevertheless striking, is the great importance that the intelligence professionals attach to foreign intelligence services as their prime partners, more so than national agencies (in the 'other domain') that are tasked with safeguarding national security and interests (albeit that national liaison activities beyond the current cooperation with the GISS are considered as important). The NLD DISS considers its contribution to national security as indirect, after all intelligence most of all concerns informing policymakers. However, caused by this perception, the (international) threat environment is considered to be a subject of interest rather than a subject that can and must be influenced by an integrated national approach. Consequently the service lacks an urge to get involved and really engage in common governmental efforts to achieve national security, notwithstanding several interagency structures the NLD DISS is involved in. In the NLD DISS a sense of urgency for a comprehensive national approach is 'recognized, but not really felt'. The working assumption that intelligence primarily serves high level decision makers in their policy choices also 'represses' a notion that national executive powers, like the NP, can be secondary customers – also for strategic foreign intelligence - without having to abandon the service's primary and legal tasks.

In general, the cultural features of the NP are more apt for improving collaboration with the NLD DISS than vice versa. These features are not influenced by the need for 'secrecy', at least not to the extent as they are in the NLD DISS. The featuring cultural principles in police units with national responsibilities which hamper collaboration are an unfamiliarity with 'intelligence terminology' and an orientation that is still too much focused on case-files, although understanding phenomena is more and more considered as important and the status of analyses is rising. In other words, intelligence-led policing (which is adopted as a strategy in those units and obviously matches collaboration with the NLD DISS) hasn't reached its full stature yet.

In brief, in this case the blurring distinction between law enforcement and intelligence turns out to consist mostly of a move by the NP to more strategic policing and pro-active activities, which for that matter includes a desired rapprochement with the NLD DISS. However, the NLD DISS comes across as a wavering organization which is struggling to find terms for adapting to the compelling conditions of the contemporary threat environment, albeit that in recent years the intelligence service undoubtedly made progress in this regard.

If the NLD DISS aims to broaden its national liaison activities and to contribute more to national security without having to abandon its current tasks and intelligence activities, the service has to review some of its working assumptions substantially and shift some of its norms and values that are related to collaboration. First and most of all, a renewed consideration of the importance of sharing information for national security interests seems appropriate. Furthermore, the NLD DISS needs to develop a disclosure policy with the aim to broaden its dissemination of intelligence products and to make intelligence products more widely available without augmenting the risks involved for information security to an unacceptable level. This policy should be based on a newly adopted risk management philosophy that mitigates, or counterbalances, the prevailing risk avoidance attitude and on relevant (shifted) norms regarding 'secrecy' and 'public knowledge'. For the NP it is merely necessary to continue leadership support for cooperation, create more awareness for information security and to get more familiar with 'intelligence terminology'.

Although the organization structures of the NP and the NLD DISS were not subjected to this research, some relatively simple structural changes may be able to mitigate some of the discerned cultural obstructions for cooperation. The aforementioned disclosure policy demands a functionality that needs to be anchored in the NLD DISS' organization chart. Moreover, a 'laundering' functionality should be introduced. Here, 'laundering' refers to a process of declassification of intelligence products with the help of open sources (which, for that matter, contributes to the evaluation of closed sources) and by disposing technical data and other references to conceal sources, collection

methods and information positions. 'Laundering' will not only facilitate a wider dissemination of intelligence products, it will also reduce the fear for unintended disclosure of state secrets.

Samenvatting

Wetenschappelijk onderzoek heeft aangetoond dat het complexe en grensoverschrijdende karakter van hedendaagse dreigingen vraagt om een geïntegreerde en gezamenlijke aanpak door overheidsinstanties die gemoeid zijn met de staatsveiligheid. Hierdoor is het onderscheid tussen het opsporingsdomein en het inlichtingendomein aan het vervagen. Inlichtingendiensten opereren steeds vaker op maatschappelijk terrein en binnen lokale gemeenschappen - traditioneel het terrein van de opsporingsdiensten - terwijl politie-eenheden met nationale verantwoordelijkheden inlichtingen vergaren over strategische dreigingen tegen de staat.

Ondanks de convergerende belangen van opsporings- en inlichtingendiensten is effectief samenwerken geen vanzelfsprekendheid. In de meeste westerse landen zijn de twee domeinen bewust gescheiden door wetgeving en andere vormen van regulering. Deze kunstmatige scheiding dient de kans op een verval in een 'politiestaat' te minimaliseren en te voorkomen dat staatsgeheimen, inlichtingenbronnen en methoden moeten worden geopenbaard in een strafproces. Het is echter mogelijk dat de scheiding zorgt voor terughoudendheid ten aanzien van onderlinge samenwerking, ook indien deze samenwerking wenselijk is en wettelijk mogelijk zou zijn. Eerder wetenschappelijk onderzoek heeft inderdaad aangetoond dat de samenwerkingsmogelijkheden tussen de Nationale Politie (NP) en de AIVD niet optimaal benut werden, onder meer als gevolg van een aantal culturele kenmerken die binnen die organisaties van invloed was op de samenwerking.

Ook de MIVD en de NP hebben steeds meer gezamenlijke belangen waardoor samenwerking en de onderlinge uitwisseling van informatie (of inlichtingen) wenselijk is. Het doel van dit onderzoek was om vast te stellen welke (domeingeschikte) culturele kenmerken samenwerking tussen opsporings- en inlichtingendiensten kunnen bevorderen. Hiertoe is een normatief ideaalbeeld opgesteld. Het onderzoek heeft zich vervolgens toegelegd op het vaststellen of en in welke mate er sprake is van deze culturele kenmerken binnen eenheden van de NP met nationale verantwoordelijkheden en de MIVD. Eveneens is onderzocht of er momenteel culturele kenmerken zijn binnen deze organisaties die samenwerking tegengaan en wat in voorkomend geval de (mogelijke) consequenties daarvan zijn. Van belang is dat de geldende wetgeving en de daarbij behorende memoranda van toelichting (voor zover relevant voor samenwerking) de grenzen van het onderzoeksbereik hebben gesteld, niet zozeer bureaucratische regelgeving. De striktheid van de regelgeving is immers afhankelijk van de

interpretatie van de wetgeving waardoor er sprake kan zijn van zelf opgelegde beperkingen die wettelijk gezien niet hoeven. De centrale onderzoeksvraag luidde als volgt:

“Welke culturele kenmerken kunnen samenwerking tussen de MIVD en de NP bevorderen, en wat zijn op dit moment – vergeleken met dat normatief ideaal – de culturele kenmerken (en hun belangrijkste consequenties) binnen deze organisaties die samenwerking tegengaan?”

Het normatief ideaal is voortgekomen uit bestudering van de resultaten van wetenschappelijk onderzoek naar (het onderscheid tussen) opsporings- en inlichtingendiensten en naar de invloed van organisatieculturen op samenwerking. Vervolgens is een casestudie uitgevoerd om het normatief ideaal te vergelijken met de werkelijke situatie binnen de MIVD en de NP.

De belangrijkste bevindingen uit de literatuurstudie zijn de volgende. Ondanks de gezamenlijke belangen van opsporings- en inlichtingendiensten, zijn er kenmerken die onlosmakelijk verbonden zijn met de onderzochte domeinen waardoor verschil altijd zal blijven bestaan. Zo hebben inlichtingendiensten bij voorkeur een proactieve werkwijze en hebben ze noodzakelijkerwijs geheimhouding hoog in het vaandel staan. Opsporingsdiensten hebben van nature een reactieve werkwijze en dienen waar mogelijk publiekelijk en transparant te opereren. Desalniettemin hebben beide domeinen een aantal gezamenlijke terreinen, te weten hun strategische missie (het beschermen van de belangen van staat en de bevolking tegen dreigingen), hun middelen en mogelijkheden (zoals de bevoegdheid bijzondere verwervingsmiddelen in te zetten, maar ook het analyseren van informatie), meer en meer hun doelwitten en het opereren in het buitenland. Logischerwijs dient het verbeteren van de onderlinge samenwerking plaats te vinden op deze gezamenlijke terreinen.

Academische opvattingen geven voorts aan dat een organisatiecultuur die gunstig is voor onderlinge samenwerking gekarakteriseerd dient te worden door een flexibele werkhouding van het personeel, een omgeving waarin handelen naar goeddunken wordt gestimuleerd en waarin de organisatie zich vooral richt op de externe omgeving waarin zij opereert. Om daartoe te komen dienen de NP en de MIVD te streven naar een min of meer ‘gezamenlijke identiteit’, betrokkenheid bij elkaars activiteiten en een beleving van een gezamenlijke missie. Stimulerende elementen die hiertoe als voorwaardelijk beschouwd kunnen worden, zijn bekendheid met elkaar (vooral elkaars werkwijze en behoeften), onderling vertrouwen, het bestaan van informele (horizontale) contacten, gezamenlijke operationele en strategische missies (en doelstellingen), steun van het leiderschap voor onderlinge samenwerking

en een transparante houding. Daarenboven moet er aantal samenwerking stimulerende paradigma's (in deze; richtinggevend beginzelen) 'aanwezig zijn' binnen beide organisaties.

Eerder onderzoek heeft ook aangetoond dat zowel het inlichtingendomein als het opsporingsdomein vatbaar zijn voor enkele verschijnselen die samenwerking tegengaan. Het betreft het 'hamsteren' van informatie, blindheid voor andermans behoeften en contrasten in subculturen. Deze laatste uit zich onder meer in verschillende interpretaties van terminologie en vakjargon. Of deze verschijnselen zich voordoen binnen de NP en/of de MIVD, en zo ja, wat daarvan de consequenties zijn, is in dit onderzoek meegenomen gezien het belang daarvan voor het beantwoorden van de centrale onderzoeksvraag.

De genoemde stimulerende elementen die voorwaardelijk zijn voor effectieve samenwerking vormden de uitgangspunten voor de casestudie. De bevindingen uit de casestudie zijn de volgende. Allereerst is aangetoond dat de MIVD en de NP inderdaad gezamenlijke terreinen hebben. Dit betekent dat het in theorie mogelijk is om effectief samen te werken op bepaalde gebieden waarvan beide organisaties moeten kunnen profiteren.

Het praktijkonderzoek heeft voorts aangetoond dat er momenteel binnen beide organisaties diverse culturele kenmerken zijn die samenwerking tegengaan. Indien de NP en de MIVD samenwerking willen bevorderen is een verandering ten aanzien van deze kenmerken wenselijk. De belangrijkste bevinding in deze is dat er binnen de MIVD grote angst heerst dat inlichtingen, bronnen en werkwijzen publiekelijk bekend worden. Hoewel dat niet onbegrijpelijk is en in zekere zin ook wenselijk is voor een inlichtingendienst, is deze angst overheersend als het gaat om samenwerking. De risico's op 'lekken' domineren als het ware de beleidsontwikkeling en de keuzes aangaande de samenwerking met (onder meer) de NP, niet zozeer de mogelijke voordelen van zo'n samenwerking voor zowel de MIVD als de nationale veiligheid. Deze angst en het paradigma 'geheimhouding' hebben een negatieve invloed op de gewenste stimulerende elementen 'onderling vertrouwen' en een 'transparante houding'. Ook het gewenste paradigma van een 'verplichting tot delen' wordt hierdoor ondermijnd.

Een andere bevinding is dat de strategische missie van de MIVD niet eenduidig is voor de medewerkers van de dienst, laat staan dat er sprake zou zijn van een zeker gevoel van een 'gezamenlijke missie' met de NP ('het dienen van het landsbelang' o.i.d.). Dit laatste verklaart ook (deels) een gebrek aan bekendheid van de medewerkers van de MIVD met de NP, hetgeen leidt tot behoeften-blindheid. Hiermee verband houdend is een binnen de MIVD alom vertegenwoordigd onterecht denkbeeld dat inlichtingen niet met opsporingsdiensten gedeeld kunnen worden tenzij er een directe dreiging wordt geconstateerd en (initieel naar oordeel van de MIVD) een strafrechtelijk

onderzoek wenselijk is (het betreft bovenal het uitbrengen van ambtsberichten over vermeende terroristen). Door dit denkbeeld en de behoeften-blindheid wordt de relevantie van strategische inlichtingen - die niet bedoeld zijn, noch geschikt zijn strafrechtelijk onderzoek, maar des te meer van belang zijn voor een effectieve inzet van schaarse middelen door de NP – niet erkend en herkend door de MIVD. De wettelijke mogelijkheden voor de verspreiding van (strategische) inlichtingen worden daardoor niet optimaal benut. Aangezien het ‘denken in termen van consequenties’ (een ander wenselijk paradigma) binnen de MIVD niet gewoon is, wordt deze tekortkoming vooralsnog niet op waarde geschat en zal het zoeken naar oplossingen niet vanzelfsprekend zijn.

Een andere constatering is dat de MIVD beduidend meer waarde hecht aan samenwerking met internationale inlichtingenpartners dan met nationale veiligheidspartners, ofschoon verdere samenwerking met nationale partners wel van belang wordt geacht. Dit wordt mede veroorzaakt doordat de MIVD zijn bijdrage aan de nationale veiligheid vooral beschouwt als indirect. De primaire taak van inlichtingen betreft immers ‘slechts’ het informeren van beleidsmakers. Echter, een bijkomend effect hiervan is dat de veiligheidssituatie meer beleefd wordt als een onderwerp van onderzoeksbelang dan als iets waar de dienst actief kan bijdragen aan het verbeteren daarvan. Niettegenstaande enkele nationale samenwerkingsverbanden waar de MIVD actief aan deelneemt, ontbreekt het de dienst daardoor aan een drang om betrokken te zijn bij- en zich actief in te laten met gezamenlijke overheidsstrategieën en operaties om grensoverschrijdende dreigingen tegen te gaan. Het belang van gezamenlijk overheidsoptreden wordt weliswaar erkend, maar niet echt gevoeld. Overigens onderdrukt de veronderstelling dat inlichtingen vooral beleidsmakers dienen te informeren een besef dat uitvoerende instanties, zoals de NP, als secundaire klanten beschouwd kunnen worden zonder dat de MIVD haar taken, verantwoordelijkheden en activiteiten anders moet (in)richten.

De huidige organisatiecultuur binnen de eenheden van de NP met nationale verantwoordelijkheden leent zich meer voor samenwerking. Logischerwijs is de invloed van ‘geheimhouding’ op samenwerken daar minder groot dan bij de MIVD. Er zijn evenwel een paar aandachtspunten van belang. Het betreft allereerst de onbekendheid met - of eerder; een andere interpretatie van – inlichtingenterminologie. Daarnaast is er ook binnen eenheden met nationale strategische verantwoordelijkheden nog altijd vooral een focus op strafdossiers ondanks dat het belang van analyse en een goede duiding van fenomenen groeiende is. Dit betekent dat de aangenomen strategie van *intelligence-led policing*, die samenwerking met inlichtingendiensten nog wenselijker maakt, nog niet volledig tot wasdom is gekomen.

Een en ander betekent dat het vervagende onderscheid tussen inlichtingen en opsporing in Nederland vooral blijkt te bestaan uit meer pro-activiteit en meer aandacht voor fenomenen door de NP. De wens van de NP voor meer samenwerking met de MIVD past in die verschuiving. Ondanks dat er vooruitgang is geboekt, is de MIVD echter nog doende om zich aan te passen aan de hedendaagse veiligheidssituatie en de daarbij horende condities.

Als de MIVD de nationale samenwerking wil uitbreiden en daarmee meer betrokken wil worden bij het waarborgen van de nationale veiligheid zonder koerswijziging aangaande taken en verantwoordelijkheden, dan zullen een aantal werkopvattingen (of cultuurkenmerken) en de normen voor nationale samenwerking moeten wijzigen. Allereerst zal er meer belang moeten worden gehecht aan het delen van inlichtingen met instanties die zich met grensoverschrijdende dreigingen bezig houden. Ook is het wenselijk dat er beleid komt ten aanzien van het extern beschikbaar stellen van inlichtingenproducten met het oogmerk de verspreiding van de producten te optimaliseren zonder dat de risico's ten aanzien van informatieveiligheid onacceptabel groot worden. Dat betekent dat het beleid gebaseerd moet zijn op het beginsel om risico's te gaan beheersen. Risicovermijding is hier niet het wenselijke uitgangspunt. Bovendien zullen de heersende normen aangaande 'geheimhouding' en 'transparantie' moeten verschuiven. Voor de NP geldt juist het tegenovergestelde. Ten aanzien van strategische inlichtingen dient het gevoel voor informatieveiligheid toe te nemen en waar gewenst (door de MIVD) dienen waarborgen hiervoor te worden ingebouwd. Het leiderschap van de NP dient voorts samenwerking te blijven stimuleren. Tot slot zal de NP bekend moeten raken met de MIVD uitleg van een aantal cruciale termen.

Hoewel de organisatiestructuren van de MIVD en de NP geen onderdeel uitmaakten van dit onderzoek, zijn er een paar relatief eenvoudige structurele wijzigingen mogelijk die de culturele kenmerken die momenteel samenwerking tegengaan, zouden kunnen mitigeren. Het voornoemde beleid aangaande de verspreiding van inlichtingenproducten zou daarvoor een functionaliteit moeten worden die in de organisatie van de MIVD verankerd is. Daaraan gerelateerd; het onderbrengen van een 'witwas functionaliteit' in de organisatie zou eveneens raadzaam zijn. Met 'witwassen' wordt in dit geval een proces bedoeld waarbij inlichtingen onder meer met behulp van open bronnen van een rubricering worden ontdaan. Hierdoor kunnen de producten wijder verspreid worden, zal de angst voor het lekken van informatie mogelijk afnemen en kunnen bovendien de eigen gesloten bronnen worden geëvalueerd.

1. Introduction

1.1 The research problem

1.1.1 The changed nature of threats and the need for a national comprehensive approach

The contemporary globalised and open society brings about adversaries that are no longer just static enemy military forces, but often dynamic international interacting networks of terrorists or other irregular enemies of the state who constantly adapt their strategy and tactics. These enemies reject the concept of 'nation states', are hard to discern from benign civilians and are able to conduct their activities in obscurity, facilitated by the information revolution and easy access to modern technology.¹ Consequently, present-day security needs, concepts and policies compel intelligence agencies to carry out more and more operations in the realm of local communities and societal dynamics in order to understand many ill-defined, complex mysteries and possible threats.^{2 3}

In order to find an answer to these contemporary threats, intelligence research on international intelligence liaison augmented since the late 1990's (given the international nature of the threats).^{4 5} However, the many-sided characteristics of the threats also demand a comprehensive and integrated approach at the national level.⁶ An approach that involves a variety of agencies that may have relevant information for intelligence services and vice versa, e.g. the coast guard, customs, the Armed Forces, immigration services, the national police, financial investigation agencies, (officials of) the ministry of Foreign Affairs, and so on. The necessity of such a comprehensive national approach became painfully clear in the aftermath of the 2001 September 11 attacks in the United States when all the intelligence needed to prevent the attacks turned out to be available, but dispersed over

¹ Shiraz, Z., Aldrich, R.J., "Globalisation and Borders" in Dover, R., Goodman, M.S. and Hillebrand, C. (eds), *Routledge Companion to Intelligence Studies* (London: Routledge, 2014), p. 264-273

² Treverton, G.F., "Addressing 'Complexities' in Homeland Security" in Johnson, L.K. (ed.), *The Oxford Handbook of National Security Intelligence* (Oxford, Oxford University Press, 2010), pp. 343-358

³ Richards, J., *The Art and Science of Intelligence Analysis* (Oxford, Oxford University Press, 2010), pp. 49-71

⁴ Johnson, L.K., "The development of intelligence studies" in Dover, R., Goodman, M.S. and Hillebrand, C., *Routledge Companion to Intelligence Studies* (London: Routledge, 2014), p. 11

⁵ Aldrich, R.J., "Transatlantic Intelligence and Security Cooperation" in *International Affairs* (Vol. 80, No. 4, 2004), pp. 731-754

⁶ Cogan, C., "Hunters not Gatherers: Intelligence in the Twenty-First Century" in *Intelligence and National Security* (Vol. 19, No. 2, 2004) pp. 304-309

several agencies. Information sharing might have resulted in a disruption of the terrorists' plans.⁷ Hence the interests of a variety of governmental agencies are converging given the changed nature of threats.

In this regard it is noteworthy that law enforcement agencies are no longer only policing the local community day-to-day (by the late professor of criminology Jean-Paul Brodeur referred to as criminal intelligence or 'low policing'), but are gathering intelligence on major strategic state security threats as well (national security intelligence or strategic intelligence, referred to as 'high policing' or 'global policing'). 'High policing' implies police measures (also based on information provided by the intelligence community) to protect the state apparatus.⁸ The 'high policing' paradigm coincides with an emerging trend of police cooperation and sharing intelligence. It focusses on three elements: (1) cross-border, (2) transnational and (3) global. The New York Police Department and the Los Angeles Police Department Terrorism Early Warning group are examples of agencies engaged in 'global policing'.⁹ According to Julian Richards, who has worked in the field of intelligence and security for twenty years, "it is an increasing reality that the present-day security threats pose a problem that needs to be seen as one in which the law enforcement analyst works hand-in-glove with the state security intelligence analyst".¹⁰ In other words, there is an increasing imperative for cooperation between law enforcement agencies and intelligence services.¹¹ In this research the term collaboration (or cooperation) refers to combined operations and/or (at the least) sharing intelligence across agencies.

1.1.2 The state of affairs in the Netherlands

1.1.2.1 A tendency for interagency cooperation versus an artificial segregation

The development of converging interests from law enforcement agencies and intelligence services regarding national security intelligence is visible in the Netherlands as well, that is, the distinction

⁷ Treverton, G.F., "Terrorism, Intelligence and Law Enforcement: Learning the Right Lessons" in *Intelligence and National Security* (Vol. 18, No. 4, 2006), pp. 126-127

⁸ Brodeur, J., "High and Low Policing in Post-9/11 Times" in *Policing* (Vol. 1, No. 1, 2007), pp. 25-37

⁹ Pollard, N.A., Sullivan, J.P., "Counterterrorism and Intelligence" in Dover, R., Goodman, M.S. and Hillebrand, C. (eds), *Routledge Companion to Intelligence Studies* (London: Routledge, 2014), p. 249

¹⁰ Richards, J., *The Art and Science of Intelligence Analysis* (Oxford, Oxford University Press, 2010), p. 24

¹¹ Treverton, G.F., "Terrorism, Intelligence and Law Enforcement: Learning the Right Lessons" in *Intelligence and National Security* (Vol. 18, No. 4, 2006), pp. 121-140

between the domains of intelligence and law enforcement is blurring.¹² For this reason the Dutch National Coordinator for Counterterrorism and Security (NCTV) developed a National Counterterrorism Strategy for 2016-2020 which “sets out a comprehensive strategy that brings together all government partners in a joint approach to extremism and terrorism”.¹³

To approach transnational threats like terrorism, Dutch law enforcement agencies - amongst them the National Police (NP) - are embracing a concept of ‘forward defence’. This is the idea to go and ‘fight’ threats at their geographic origins (physical proximity) before they reach the Netherlands. The forward defence concept provides the rationale for stationing police officers abroad as liaison officers in order to extend the organization’s ‘sensing’ capabilities and assess criminal and terror related threats close to the source. For the concept of ‘forward defence’, direct access to strategic foreign intelligence (or: national security intelligence), which is predominantly collected by the Netherlands Defence Intelligence and Security Service (NLD DISS), is desirable. All the same, intelligence services in the Netherlands, the NLD DISS included, have a limited capacity. More ‘police sensors’ can help them to identify where security problems originate and materialize into threats, thereby generating information that is useful for early warning¹⁴ purposes. Direct cooperation and the exchange of information between the NLD DISS and the NP is therefore desirable.

Notwithstanding these developments, a comprehensive approach at the national level - or a ‘whole of government approach’ - does not match the ‘traditional’ feature of differentiation in Dutch national governance. The segregation between Dutch intelligence and law enforcement agencies originates most of all from legislation and bureaucracy designed to prevent classified intelligence, sources and methods inevitably becoming public and disclosed when it is used for law enforcement purposes (prosecution), a common fear within intelligence agencies.^{15 16} Moreover, government rules aim to restrict cooperation between intelligence services and law enforcement bodies to a certain extent so that the Netherlands will not degenerate into a ‘police state’.¹⁷

¹² Vis, T., *Intelligence, politie en veiligheidsdienst: Verenigbare grootheden?* (Tilburg, Tilburg University, 2012), pp. 12-13, 325-327

¹³ Nationaal Coördinator Terrorismebestrijding en Veiligheid, *National Counterterrorism Strategy for 2016-2020* (Den Haag, NCTV, 2016)

¹⁴ Warning of (possible) future threats that comes early enough to prepare for it and to diminish its impact.

¹⁵ Brodeur, J., “High and Low Policing in Post-9/11 Times” in *Policing* (Vol. 1, No. 1, 2007), pp. 29-30

¹⁶ Aldrich, R.J., “Transatlantic Intelligence and Security Cooperation” in *International Affairs* (Vol. 80, No. 4, 2004), p. 732

¹⁷ Vis, T., *Intelligence, politie en veiligheidsdienst: Verenigbare grootheden?* (Tilburg, Tilburg University, 2012), pp. 8-9

Despite the establishment of coordinating bodies like the NCTV, one could argue that this artificial segregation between Dutch law enforcement and intelligence is over-institutionalised and hampers collaboration. Here, over-institutionalization means that the prevailing regulations and/or the normal practice and working assumptions are more restrictive than the (intentions of) relevant laws which dictate the possibilities as well as the limitations for cooperation and the sharing of information.¹⁸ As was the case in the United States before the September 11 attacks,¹⁹ in the Netherlands the interpretation of relevant laws may be too strict and part of the bureaucracy may be self-inflicted and unintendedly be retained.

1.1.2.2 Possible cultural influences

In this research the term (organizational) culture refers to a collective programming which distinguishes members of one group from members of the other, or, the sets of beliefs that members of organizations hold.²⁰ Since research demonstrates a reciprocal causal relation between organizational cultures and bureaucracy,²¹ prevailing cultural principles can hamper collaboration between the NP and the NLD DISS. Moreover, cultural influences may also affect collaboration between the two organizations directly, after all, it concerns 'programming' and 'a set of beliefs' which may or may not favour collaboration. Indeed, the relevance of organization cultures for the sharing of information across agencies in the policing and national security arena became clear in the United Kingdom in the 1990s where (hampering) cultures proved to be a hurdle to overcome.²²

In the Netherlands the influences of cultural features in Dutch law enforcement agencies and intelligence services on their collaboration (given the present-day threat environment) has not yet been researched. Several cultural principles in these agencies which, in theory, can encourage collaboration, may not yet be in place. Other cultural principles may be present but are impeding or even obstructing further collaboration. This research focussed on these cultural influences.

¹⁸ Articles 17, 36, 38, 60 and 62 of the Law on Intelligence and Security Services (Wiv) 2002 and the Decree on Police Information (legal provisions of the Law on Police Information) provide stipulations for collaboration with other (domestic) agencies (see paragraph 3.1)

¹⁹ Treverton, G.F., "Terrorism, Intelligence and Law Enforcement: Learning the Right Lessons" in *Intelligence and National Security* (Vol. 18, No. 4, 2006), pp. 126-127

²⁰ J. van Bon, *Over Veranderingen binnen de Organisatiecultuur van de Algemene Inlichtingen- en Veiligheidsdienst*, (Amsterdam, Universiteit van Amsterdam, 2011), p. 12

²¹ Parker, R.; Bradley, L., "Organisational culture in the public sector: Evidence from six organisations" in *International Journal of Public Sector Management* (Vol. 13, No. 2, 2000), pp. 125-141

²² Richards, J., *The Art and Science of Intelligence Analysis* (Oxford, Oxford University Press, 2010), p. 43

1.1.3 The choice for the NLD DISS and the NP for the research

At first sight, the Dutch General Intelligence and Security Service (GISS), which is more focused on internal security and terrorism, may have more shared interests with the NP. However, the cross-border character of contemporary threats (also) results in converging interests of the NP and the NLD DISS, most of all because the NP adopted forward defence as a strategy and the NLD DISS focusses its intelligence activities abroad. A rapprochement between the NP and the NLD DISS, demanding new liaison efforts of these entities, is therefore desirable. For this reason I figured the NLD DISS to be suitable as a research subject. Also, the relation between the GISS and the NP is more institutionalized and has been researched before, albeit the effects of their organizational cultures on their collaboration has not been a specific research question yet. Since the (need for a) rapprochement between the NLD DISS and the NP is relatively new, academic research into the relation of these organizations has not been done before.

Worth mentioning in this regard is that the blurring distinction between law enforcement and intelligence mirrors that of the blurring distinction between police systems (here; the NP) and the military (here; the NLD DISS) as the monopolists of legitimate force in the 'war on terror'. After all, this 'war' implies connecting intelligence on major international terrorist networks with local situations.²³

1.2 The research question

The purpose of this research was to point out cultural characteristics and principles that, given the stipulations of relevant laws, are cooperation encouraging and feasible to adopt in these organizations (a normative ideal). The research also aimed - given the normative ideal - to discern the cultural principles that are currently present in the NP and the NLD DISS and conflict with collaboration and the exchange of information between them, in other words the cultural shortcomings.

²³ Brodeur, J., "High and Low Policing in Post-9/11 Times" in *Policing* (Vol. 1, No. 1, 2007), p. 35

The research aimed to answer the following research question:

“Which cultural principles can encourage collaboration between the Defence Intelligence and Security Service and the National Police, and what are at the moment – compared with this normative ideal – the featuring cultural principles (and their consequences) which hamper this cooperation?”

Since the research was exploratory in nature, the findings only provide an initial impetus to further research beyond the scope of this thesis. Although the research findings provide some suggestions (or starting points) for altering the organization cultures from the NP and the NLD DISS, cultural changes are complex processes which demand a well-considered strategy. Formulating strategies for cultural change in the NP and/or the NLD DISS must be addressed separately since it was not part of this research.

The derived sub-questions were the following:

Regarding general characteristics of the cooperation between the domains of intelligence and law enforcement:

- What are the general difficulties regarding the collaboration between law enforcement agencies and intelligence services?
- What conditions can promote liaison and information sharing between a secret domain and a public domain?
- How and where can agencies with a pro-active attitude or a focus on prevention (characteristics of intelligence services) profit from agencies with a primarily reactive attitude or focus on correction (law enforcement) and vice versa?

Regarding the causal relations between organizational cultures and bureaucracy:

- Are there any cultural features within the NLD DISS or the NP affecting bureaucracy and consequently hampering cooperation?
- Is bureaucracy within the NLD DISS and the NP more restrictive than the intent of relevant laws that dictate the legal possibilities and limitations for cooperation between the domains of intelligence and law enforcement?

Regarding cultural principles in the NLD DISS and the NP related to collaboration:

- Which cultural principles and characteristics within the NLD DISS conflict with the need to share information?
- Which cultural principles and characteristics within the NP conflict with the need to share information?
- Which cultural principles and characteristics can or should change and which (new) cultural principles must be embraced by the NLD DISS and the NP in order to favour cooperation between them?

1.3 The research design

The research has been both normative and empirical in nature. At first a stance or normative ideal has been defined based on relevant theoretical insights. Thereafter, the normative ideal was compared with the current situation - which has been determined by a case study - in order to draw conclusions.

My research thus started by a thorough content analysis of existing literature regarding (1) organizational cultures and (2) the blurring distinction between law enforcement and intelligence. From the insights of these two academic domains I derived relevant theories related to the influences of corporate cultures and law enforcement- and intelligence characteristics on cooperation. At the same time I studied literature and reports regarding the cooperation between the police (and other law enforcement agencies) and the intelligence services in the Netherlands,²⁴ thereby determining the 'already knows'. Combined, the derived theoretical insights made it possible to induce a normative ideal regarding cultural principles and their drivers for effective collaboration between intelligence services and law enforcement agencies.

The case study intended to ascertain whether the desired cultural principles are present in the NP and the NLD DISS and whether current prevailing cultural principles hamper collaboration and, if so, their main relevant consequences. For this purpose the normative ideal is used as reference. The case study comprised interviews and questionnaires. A total of nine semi-structured interviews were held, lasting in time from one hour and a half up to three hours. These respondents mainly held positions at the middle management level and had insights in both policy-, as well as working level

²⁴ This research included the cooperation between the NP and the GISS. The objective was to gain theoretical insights about aspects of collaboration that were generalizable to the relation between the NP and the NLD DISS.

challenges. In addition, seventeen other respondents filled in a questionnaire comprising twenty-one open questions and eight closed questions. These respondents functioned in all levels of both organizations. All respondents from the NP worked in units with nationwide responsibilities.

I have reduced the limitations that influence the quality (e.g., the validity, reliability and generalizability) inherent to my research design by improving the quality of my data, the data collection and the analyses of the data. For this I have described the used methods in memos and notes so that the research can be repeated (for the external reliability), selected the respondents on their relevance and had the interview results validated by them, triangulated the findings (for the internal validity) and focused on the generalizability of the findings (for the external validity).

The questionnaires were designed to obtain not only qualitative data but quantitative data as well. The qualitative data provided richness, context and a validity check for the quantitative content. Qualitative methods were used for the analysis of the data. In addition, I considered the relevance of all statements from the interviewees and the other respondents for the enablers that are specified in the normative ideal (see paragraph 2.2.5). Wherever there was a deducible link of a statement with one or more of these enablers, I tagged these links as negative or positive related to these enablers. This method yielded almost six hundred hits (see appendix) which consequently provided insights at first glance and endorsed findings from the qualitative analysis.

Noteworthy is that (for collaboration) relevant articles from valid laws and their explanatory memorandums dictated the scope of the research, not so much existing regulations. After all, the latter can be self-inflicted if somehow the interpretation of these laws is too strict.

1.4 Relevance and justification

The relation between the NLD DISS and the NP has not been researched before. Collaboration between the GISS and the NP certainly has. However, these researches did not specifically address the effects of organizational cultures on their collaboration.

Worth mentioning are the researches by Ron van Gijn (2008)²⁵, Josephine van Bon (2011)²⁶ and Thijs Vis (2012)²⁷. Van Gijn's research aimed to map the flows of information across the GISS and the NP

²⁵ van Gijn, H.A.H.W., *Vragen naar de onbekende weg. Een onderzoek naar de toepassing van de Wet Politiegegevens door de Criminele Inlichtingen Eenheden in de strijd tegen terrorisme* (Tilburg, Hoge School Avans, 2008)

considering the judicial terms for the sharing of information, most of all in reference to the Law on Police Data (LPD). Van Gijn's research is relevant in the sense that it (also) indicated a lack of mutual trust between the NP and the GISS. Moreover, van Gijn ascertained an unfamiliarity with each other's information needs and a lack of interest for prosecution objectives in the GISS.²⁸

Van Bon's research aimed to point out cultural developments within the GISS during the period 1970-2011 given the political and societal changes that took place in that era. Her research did not specifically include the effects of cultural developments on the collaboration with law enforcement elements, albeit she concludes in general terms that "an open culture within the GISS is needed as a basis for support from the Dutch society and for cooperation with other governmental institutions".²⁹

Vis' research had similarities with the research done here. It concerned the influence of the concept of Intelligence-Led Policing (ILP, see also paragraph 2.2.4) on the relation of the NP (especially the Criminal Intelligence Units, CIU) with the GISS. ILP obviously matches collaboration with intelligence services. However, Vis' research (like van Gijn's) did not have a cultural starting point. Nevertheless, during his research it became clear that, amongst other (structural) aspects, a cultural principle within the CIU's had a negative influence on the relation with the GISS. He concluded that 'a culture of unnecessary secrecy' led to mutual distrust and insufficient information sharing.³⁰ For Vis, this finding gave rise to state that investments should be made in a cultural change.³¹

In a way, Vis' and van Gijn's findings justify this thesis. After all they indicate that cultural aspects may affect the sharing of information between police units and intelligence services. Indeed, the relevance of 'their' cultural aspects for collaboration became clear during the study of relevant academic insights and during the empirical research done here (paragraph 2.2.5 and beyond).

Notwithstanding Vis' and van Gijn's research, this research has been exploratory. The effects of cultural principles on the cooperation between Dutch law enforcement agencies and intelligence services had not yet been researched as such. By providing new insights, the findings may stimulate a cultural awareness in these intelligence and law enforcement agencies and influence decision- and

²⁶ van Bon, J., *De AIVD in een nieuw tijdperk: over veranderingen binnen de organisatiecultuur van de Algemene Inlichtingen- en Veiligheidsdienst* (Amsterdam: Universiteit van Amsterdam, 2011)

²⁷ Vis, T., *Intelligence, politie en veiligheidsdienst: Verenigbare grootheden?* (Tilburg, Tilburg University, 2012)

²⁸ van Gijn, H.A.H.W., *Vragen naar de onbekende weg. Een onderzoek naar de toepassing van de Wet Politiegegevens door de Criminele Inlichtingen Eenheden in de strijd tegen terrorisme* (Tilburg, Hoge School Avans, 2008), pp. 9-10

²⁹ van Bon, J., *De AIVD in een nieuw tijdperk: over veranderingen binnen de organisatiecultuur van de Algemene Inlichtingen- en Veiligheidsdienst* (Amsterdam: Universiteit van Amsterdam, 2011), p. 45

³⁰ Vis, T., *Intelligence, politie en veiligheidsdienst: Verenigbare grootheden?* (Tilburg, Tilburg University, 2012), pp. 246-255, 323-325

³¹ Vis, T., *Intelligence, politie en veiligheidsdienst: Verenigbare grootheden?* (Tilburg, Tilburg University, 2012), pp. 342-343

policymakers to the extent that, in the end, cultural principles and conditions may become more favourable for- and encourage collaboration and information sharing. Moreover, a normative ideal for cultural principles in an intelligence-police cooperative setting has not been developed yet. The research findings are therefore relevant for intelligence and security studies as well.

The findings of the research are also relevant - especially for the Netherlands - because they are generalizable and transferable. They are applicable in other research settings and situations because other agencies in the field of law enforcement can benefit from collaboration and information exchange with the NLD DISS and vice versa (like the Koninklijke Marechaussee and Customs). These Dutch law enforcement agencies probably have a similar organizational culture as the NP (related to cooperation with intelligence agencies) since these cultures stem from similar historic values and bureaucratic, judicial and other domain specific influences. Furthermore, these agencies also embrace a forward defence policy.

It must be emphasized that this research merely concerns collaboration between the NLD DISS and the NP. However, collaboration may not be the only determinant for a cultural change, if more cooperation is indeed desired in the first place (after all, the desirability of more cooperation is susceptible to discussion). One has to bear in mind that other factors and objectives may ask for other cultural enablers. However, as pointed out in paragraph 1.1, it is strongly desirable to confront contemporary threats in close collaboration between intelligence services and (amongst others) law enforcement agencies. Therefore the research is societal relevant.

Given the exploratory nature of the research, the findings (merely) provide an initial impetus – in this case a framework that may give a sense of direction - for further research. In this regard I would like to emphasize that I did not strive for completeness since there are too many aspects connected to the research subject to fit the scope of this thesis (for example on how to implement cultural changes within the NLD DISS and/or NP). Furthermore, the presented normative ideal is based on relevant theoretical insights, but also on reasoning. Therefore it concerns my ideal which is a result of my elaborations and deductions. Consequently, the normative ideal is susceptible to discussion as well.

In the next chapter I will discuss relevant theoretical insights which lead up to a normative ideal that describes the cultural principles that can encourage collaboration between intelligence services and law enforcement agencies. In chapter three the findings from the empirical research will be presented. Chapter four consists of conclusions and recommendations.

2. Relevant theoretical insights; towards a normative ideal

2.1 The (blurring) distinction between law enforcement and intelligence

The distinction between law enforcement and intelligence, its characteristics and its related developments must be addressed briefly since they provide the context in which cooperation between the NP and the NLD DISS must take place.

The main differences between law enforcement agencies and intelligence services stem from their different purposes. Law enforcement agencies must protect society by apprehending criminals and terrorists and bring them to justice. For prosecution reasons they must provide irrefutable evidence. Law enforcement agencies predominantly act reactive and in public. Intelligence services, however, predominantly act pro-active in order to prevent threats to materialize. For this it is necessary for intelligence agencies to act in secrecy.³² Frederic Manget, who had a lifetime career in the US Army and the Central Intelligence Agency (CIA), described the distinction eloquently by stating that “intelligence and law enforcement occupy different worlds, but they are parallel worlds that have common dimensions. Intelligence is about prevention, obscurity and secrecy, whereas law enforcement is about correction and overtness”.³³ This notion is shared by other scholars in the field of intelligence and security, like Gregory Treverton who is at present the chairman of the US National Intelligence Council.³⁴

Since the emergence of international terrorism in the last fifteen years, the interests of law enforcement and intelligence are converging (as pointed out in the research problem). This development puts the traditional characteristics of these domains and their distinction under pressure.^{35 36} It has since been a prominent topic for academic research in the field of intelligence and security. In 2004 Martin Rudner, a professor in International Affairs and a well-known security analyst, argued that “because in most jurisdictions terrorism is defined as a crime as well as a national security threat, the hunting and gathering of intelligence should also serve to support law

³² Manget, F.F., “Intelligence and the Criminal Law System” in *Stanford Law and Policy Review* (Vol. 17, 2006), pp. 415-436

³³ Manget, F.F., “Intelligence and Law Enforcement” in Johnson, L.K. (ed.), *The Oxford Handbook of National Security Intelligence* (Oxford: Oxford University Press, 2010), pp. 189-211

³⁴ Treverton, G.F., “Terrorism, Intelligence and Law Enforcement: Learning the Right Lessons” in *Intelligence and National Security* (Vol. 18, No. 4, 2006), p. 122

³⁵ de Graaff, B., “Waterboarding, rendition, secret flights and prisons. Verwording of verwezenlijking van inlichtingenvergarig als methode van terrorismebestrijding aan het begin van de 21e eeuw?” in *Contra terrorisme en Ethiek* (Amsterdam: Uitgeverij Boom, 2011), p. 19

³⁶ Treverton, G.F., “Terrorism, Intelligence and Law Enforcement: Learning the Right Lessons” in *Intelligence and National Security* (Vol. 18, No. 4, 2006), pp. 121-122

enforcement authorities in bringing terrorists to justice”.³⁷ According to Robert David Steele, a former CIA agent and nowadays a political activist, the craft of intelligence has gone through an era of secret war and through an era of strategic analysis. It is now entering the third era of the ‘Smart Nation’ which creates a Multinational, Multiagency, Multidisciplinary, Multidomain Information-Sharing and Sense-making (4MIS2) network, focussing on collective intelligence by uniting several ‘communities’ (amongst them intelligence services and law enforcement agencies).³⁸ Steele takes his stance to the utmost and refers to a comprehensive ‘security ecosystem’ which includes also communities like the media, commercial enterprises, non-governmental organizations and so on.

Although the contemporary threat environment may indeed justify such a comprehensive security ecosystem, it will not become a reality in the years to come, at least not in a formalised or institutionalised fashion. To that end the necessary political, administrative and judicial reforms are too complex to overcome in a short or medium-term. Nevertheless, improving the sharing of information and operational cooperation between intelligence services and law enforcement agencies is desirable and far from inconceivable, even in the short term.

So far the impression may have been given that the convergence of interests between the two domains mainly concerns strategic national security intelligence regarding phenomena. However, it must be emphasized that ‘the convergence’ also concerns target-centric (pedestrian) intelligence that focusses on individuals who may pose a threat. For target-centric intelligence a forensically analytical approach is essential.³⁹ Forensic information of target behaviours are, for example, remarkable financial transactions and border crossings. In general, forensic indicators are more forthcoming in law enforcement agencies. The forensic information can provide new intelligence leads that may be relevant for national security intelligence and can be exploited for the use of intelligence gathering by special means.⁴⁰ Intelligence services can thus profit from target related information in the possession of law enforcement agencies.

In conclusion; the present-day converging interests of law enforcement agencies and intelligence services is compelled by the threat environment and a *fait accompli* for all agencies with national security responsibilities. Various academics in intelligence and security studies, like Steele and

³⁷ Rudner, M., “Hunters and Gatherers: The Intelligence Coalition Against Islamic Terrorism” in *International Journal of Intelligence and Counterintelligence* (Vol. 17, No. 2, 2004), p. 194

³⁸ Steele, R.D., “The Evolving Craft of Intelligence” in Dover, R., Goodman, M.S. and Hillebrand, C. (eds.), *Routledge Companion to Intelligence Studies* (London: Routledge, 2014), p. 73

³⁹ Richards, J., *The Art and Science of Intelligence Analysis* (Oxford, Oxford University Press, 2010), p. 71

⁴⁰ Aldrich, R.J., “Transatlantic Intelligence and Security Cooperation” in *International Affairs* (Vol. 80, No. 4, 2004), p. 742

Rudner, often advocate closer cooperation between various security stakeholders as the best answer to the new challenges. They regard closer cooperation not just as desirable, but as a necessity.

2.1.1 The common dimensions of law enforcement and intelligence

Arguably, a rapprochement between law enforcement and intelligence should focus on-, or must progress along the lines of their common dimensions, referred to by Manget. Although Manget does not mention these dimensions explicitly, they can be deduced. Common dimensions of law enforcement and intelligence are their missions (their responsibilities to safeguard the nation from threats), their resources (like their authority for surveillance and other methods of collection, but also the analyses of information), the convergence of targets – which gave rise for this research in the first place - and cross-border activities.⁴¹ Noteworthy is that Manget argues that a degree of conflict between law enforcement and intelligence in these dimensions is inevitable.⁴² Indeed, one has to recognise that there are elements in the intersection of law enforcement and intelligence which are irreconcilable, such as the fact that intelligence used as evidence will always be nebulous because there is a need for secrecy in order to protect sources.

Logically, improving cooperation along the lines of the common dimensions is the most promising way to go forward. This notion was important for this research since it made clear that the corporate cultures of intelligence and law enforcement agencies need to converge at their intersection. Therefore the common dimensions form the scope of the normative ideal. In the chapters to come I will gradually develop this normative ideal to the extent that it is useful as a framework for the empirical research.

Table 1 on the next page shows the characteristics of intelligence and law enforcement, and their common dimensions.

⁴¹ Manget, F.F., “Intelligence and Law Enforcement” in Johnson, L.K. (ed.), *The Oxford Handbook of National Security Intelligence* (Oxford: Oxford University Press, 2010), pp. 189-211

⁴² Manget, F.F., “Intelligence and the Criminal Law System” in *Stanford Law and Policy Review* (Vol. 17, 2006), p. 434

Table 1: 'The characteristics and common dimensions of intelligence and law enforcement'

Intelligence	Common Dimensions	Law Enforcement
<p>Purpose:</p> <p>Early warning in order to enable policy makers and executive powers to prevent threats to materialize or to mitigate their (potential) impact.</p> <p style="text-align: center;">↓</p> <p style="text-align: center;">Prevention</p> <p>Characteristics:</p> <p>A predominantly pro-active attitude.</p> <p style="text-align: center;">Act in secrecy / obscurity.</p>	<p>Mission:</p> <p>Safeguard (interests of) the nation and its population from threats.</p> <p>Resources:</p> <p>Authority for surveillance and observation of targets by special, often intrusive, means.</p> <p>Methods / modus operandi, like the use of human sources.</p> <p>Analyses of information / threat assessments.</p> <p>Targets:</p> <p>(Potential) terrorists and their networks.</p> <p>Cross border criminal activity.</p> <p>Illegal proliferation of weapons, material and technology.</p> <p>Cross border activities:</p> <p>Forward defence, assess threats close to their geographic origins (physical proximity).</p> <p>Gathering intelligence on transnational state security threats.</p>	<p>Purpose:</p> <p>Apprehending criminals and providing irrefutable evidence against them for prosecution purposes.</p> <p style="text-align: center;">↓</p> <p style="text-align: center;">Correction</p> <p>Characteristics:</p> <p>A predominantly reactive attitude.</p> <p style="text-align: center;">Act in public (if possible).</p>

2.2 Organizational cultures, intelligence and law enforcement

2.2.1 About organizational cultures

Before elaborating on theories of organizational cultures, I consider it necessary to note the following. As stated, this research aims to improve the conditions for collaboration between the NP and the NLD DISS by indicating cultural principles which favour cooperation and by pointing out the current cultural shortcomings that hamper a rapprochement. One could argue, however, that more cooperation can also be invigorated by ‘simply diminishing’ the influence of organizational cultures on the agencies’ behaviour, albeit by doing so both the hampering and the stimulating principles will have less influence. As a matter of fact, Graham Allison and Philip Zelikow plea in a revolutionary work on decision making during the Cuban missile crisis, that the opposite paradigm of culture (in which social construction and institutional settings are dictating an organization’s interests) is the paradigm of efficiency. According to them emphasizing efficiency means most of all reasoning by ‘the logic of consequences’, whereas emphasizing culture means most of all reasoning by ‘the logic of appropriateness’.⁴³ Assuming that collaboration will improve an organization’s efficiency most of the time, efficiency as a directive principle or organizational preference (instead of cultural paradigms) can solve problems of collaboration. However, it is as easily arguable that the assigned value to the paradigm of efficiency is a conveyed norm within each organization and therefore – referring to the next paragraph - by definition part of its culture. For the sake of simplicity, in this research the importance that an organization attaches to efficiency is considered to be a cultural principle. The paradigm of efficiency is therefore part of the normative ideal (referred to as ‘more logic of consequences’).

It makes sense to elaborate on organizational cultures in general before going into more details about the prevailing cultures of law enforcement agencies and intelligence services. The term ‘organizational culture’ is relatively abstract and can be interpreted and defined in numerous different ways. As mentioned, for this research organizational culture is considered as a collective programming which distinguishes members of one group from members of the other. It concerns the conveyance of (and ultimately the acceptance of) norms, values and conceptions in an organization’s behaviour.⁴⁴ Organizational cultures are thus the sets of beliefs that members of organizations hold.

⁴³ Allison, G.T., Zelikow, P.D., *Essence of Decision: Explaining the Cuban Missile Crisis* (New York: Addison-Wesley Longman Inc., 1999), pp. 155-156

⁴⁴ J. van Bon, *Over Veranderingen binnen de Organisatiecultuur van de Algemene Inlichtingen- en Veiligheidsdienst* (Amsterdam, Universiteit van Amsterdam, 2011), p. 12

The cultural principles that will be discussed in this research can all be subsumed under 'norms' (or the similar term 'conception') and values.

Cultures feature a prolonged reason for existence since they are formed by slowly transforming societal perceptions and market conditions. At the organizational level, factors which influence culture are more dynamic. Nevertheless, deeper elements of organizational cultures become rooted and will not change overnight. An organizational culture can therefore be seen as a product of contestation and consequent evolution.⁴⁵

Here, the new institutionalism methodological approach is of importance. It explores how institutions interact and affect society, emphasizing the role of rules, norms and culture. It argues that organizations create purposes and routines that arise from within. Adaptation often takes place through incremental changes of lower level routines which already exist.⁴⁶ This explains the view amongst several academics that an inconsistency between the expressed purposes of an organization and what the organizations really does, is conceivable. This inconsistency may be caused by a deeper level of perception that dictates the actions of employees.⁴⁷

Nevertheless cultural elements – the norms, values and conceptions – can be learned and changed despite the fact that cultures are not directly tangible and, in addition, non-susceptible. After all, leaderships decide which norms, values and conceptions they want to convey and, ultimately, people decide which norms, values and conceptions they will adopt. In this regard research done by the Dutch sociologist Cor Lammers is noteworthy. He argued that organizational dynamics dictate that change is not only the result of directives coming from the management team, but also of 'the human factor', that is the interpretation and acceptance of these directives by the professionals at the working level.⁴⁸ So, if a successful long term cultural change that facilitates collaboration is desired and considered necessary, the leadership of both the NP and the NLD DISS should contemplate new policy for those departments that interact with the other organization. The implementation of this policy should thus be at the lower working levels and must be incremental, firmly fixed and supported by the intelligence and police professionals.

⁴⁵ Phytian, M., "Cultures of National Intelligence" in Dover, R., Goodman, M.S. and Hillebrand, C. (eds.), *Routledge Companion to Intelligence Studies* (London: Routledge, 2014), p. 34

⁴⁶ Allison, G.T., Zelikow, P.D., *Essence of Decision: Explaining the Cuban Missile Crisis* (New York: Addison-Wesley Longman Inc., 1999), pp. 152-153

⁴⁷ J. van Bon, *Over Veranderingen binnen de Organisatiecultuur van de Algemene Inlichtingen- en Veiligheidsdienst* (Amsterdam, Universiteit van Amsterdam, 2011), p. 12

⁴⁸ C.J. Lammers, *Organiseren van Bovenaf en van Onderop* (Utrecht: Het Spectrum B.V., 1993), pp. 36-53

Since it is therefore possible to change organizational cultures, the question arises in which direction the law enforcement and intelligence cultures should change in order to improve information sharing and collaboration. Several insights from earlier research are relevant.

2.2.2 Cultural objectives

Research done by Robert Quinn and Kim Cameron (2006) is noteworthy in this regard. Their use of the Competing Values Framework for indicating corporate cultures is internationally recognized. They acknowledge that organizational cultures are conditional for creating a collective identity, a joint concern (or involvement) and for clarifying an entity's mission.^{49 50} Moreover, according to Daniel Dennison and Aniel Mishra (1995), scholars specialized in organizations and their management policies, 'involvement' and a 'sense of mission' are cultural traits which are positively related to effectiveness.^{51 52} Although the mentioned researches did not concern cultural interaction between two organizations, the objectives of a collective identity, a joint concern and involvement, and the clarification of an entity's mission can be extrapolated for the research done here. Since 'missions' is identified as a common dimension, in this case the sense of mission concerns a 'joint sense of mission'. Arguably, if they are 'applied' at the intersection of law enforcement and intelligence (the common dimensions) these objectives should have positive effects for collaboration and information sharing. For that reason a collective identity, a joint sense of mission and involvement are objectives which are part of the ideal cultural framework.

So far, it became clear that facilitating cultural principles for improved collaboration are connected with a collective identity, involvement, and the clarification (or sense) of a joint mission. Moreover these principles must be related to the common dimensions of law enforcement and intelligence; their missions (responsibilities), their resources (authorities like surveillance and other collection methods and analyses of information), cross-border activities and a convergence of targets.

⁴⁹ Cameron, K.S., Quinn, R.E., *Diagnosing and Changing Organizational Culture: Based on the Competing Values Framework* (San Francisco: Jossey-Bass, revised edition, 2006), pp. 37-45

⁵⁰ J. van Bon, *Over Veranderingen binnen de Organisatiecultuur van de Algemene Inlichtingen- en Veiligheidsdienst* (Amsterdam, Universiteit van Amsterdam, 2011), p. 13

⁵¹ Denison, D.R., Mishra, A.K., "Toward a Theory of Organizational Culture and Effectiveness" in *Organization Science* (Vol. 6, No. 2, 1995), pp. 204-223

⁵² Ahmed, P.K., "Culture and climate for innovation" in *European Journal of Innovation Management* (Vol. 1, No. 1, 1998), pp. 35-37

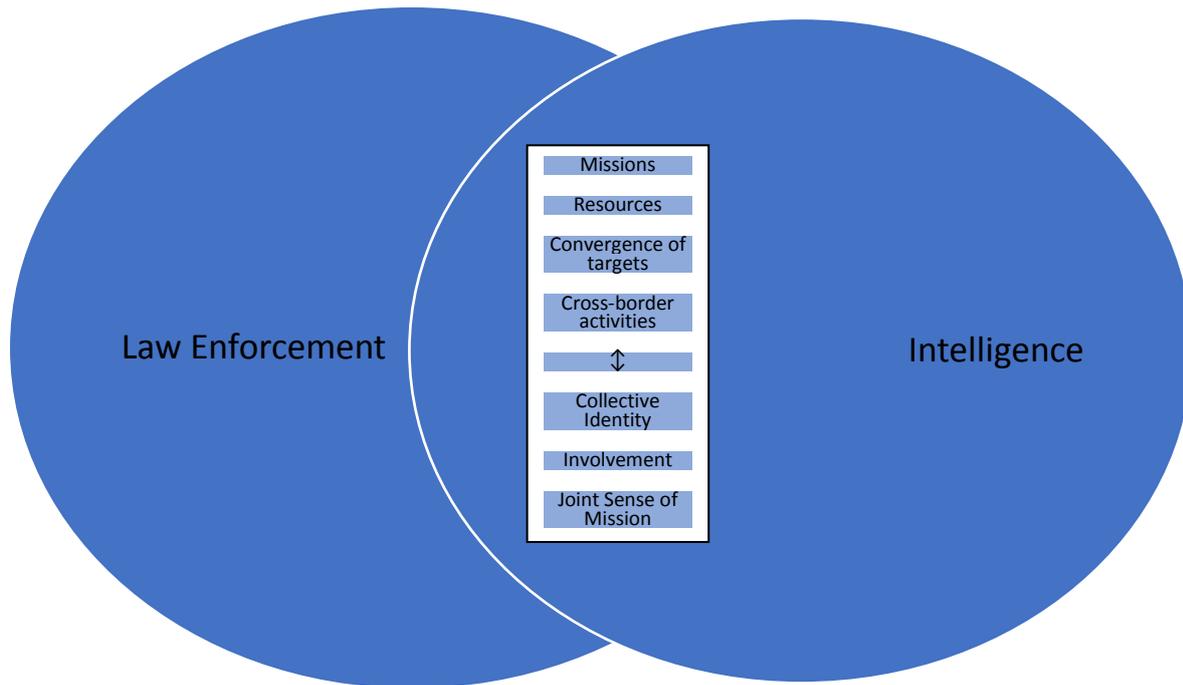


Fig 1: The common dimensions and the cultural objectives at the intersection of law enforcement and intelligence.

Besides identifying the cultural objectives and locating the common dimensions where these objectives should be reached, it is desirable to identify the preferred cultural end state and how to get there. Van Bon, van Gijn and Vis discerned flaws (i.e. ‘secrecy’, a lack of trust and unfamiliarity with the other organization’s needs) which point to characteristics like ‘competition’, ‘the importance to keep in control’ and an ‘internal orientation’ (albeit van Bon concluded that the GISS nevertheless showed a more external orientation). In the next paragraph I will use characteristics of established types of cultures for identifying characteristics of the preferred cultural end state.

2.2.3 The desired cultural end state

Quinn and Cameron provide a model to interpret, diagnose and change organizational phenomena. The model discerns four types of corporate cultures which can be utilized to identify a preferable end state. The types of corporate cultures are; the family (or clan) culture, the hierarchy, the market culture and the adhocracy. The family culture is flexible, has an internal focus and promotes discretion. The hierarchy has an internal focus, is formal, bureaucratic and structured. It strives for stability and control. The market culture is results oriented and values competition. It has an external

focus and strives for stability and control. The adhocracy is flexible, has an external focus and promotes discretion, creativity and innovation.⁵³

Van Bon's research has shown that the Dutch GISS has moved from a family culture towards a market culture, mostly because of changing societal conditions in which the service tried to find a new balance between openness and closeness resulting in a more external focus.⁵⁴ Of importance is the notion that the 'more external orientation' may not be 'external enough' for the current need for effective cooperation with law enforcement elements. After all, van Gijn's and Vis' findings indicate prevailing cultural impediments for the exchange of information and cooperation. Since the NLD DISS has been subjected to the same societal conditions as the GISS, one can assume that the NLD DISS also shifted from a family culture towards a more market type of culture by searching for a new balance between openness and closeness, which, nevertheless, may not have been to the extent that is desired nowadays.

The organizational culture of the NP has not been researched with the help of Quinn and Cameron's model. However, van Gijn's and Vis' researches have indicated a lack of trust in the GISS, unfamiliarity with the needs of the GISS and 'a culture of unnecessary secrecy'.^{55 56} Based on these findings the NP probably has an organizational culture with an internal focus (a hierarchy or a family culture), at least regarding its attitude towards the GISS (and therefore probably also towards the NLD DISS). Obviously, the NP's presumed internal focus (in its relation with the intelligence services) does not support collaboration between the NP and the NLD DISS.

The presumed market culture of the NLD DISS is 'results oriented' and values competition. This type of culture may not be the most favourable for collaboration either, despite the more external focus. After all, a results oriented and competitive attitude can be at odds with 'involvement' and a 'joint sense of mission' in collaborations which, from time to time, may demand activity without direct gains, but for the better good.

For better cooperation between the NP and the NLD DISS the adhocracy seems to be the culture of choice for both organizations. The adhocracy has an external focus, is flexible and promotes discretion (which for that matter can lead to less control by the leadership), creativity and

⁵³ Cameron, K.S., Quinn, R.E., *Diagnosing and Changing Organizational Culture: Based on the Competing Values Framework* (San Francisco: Jossey-Bass, revised edition, 2006), pp. 37-45

⁵⁴ J. van Bon, *Over Veranderingen binnen de Organisatiecultuur van de Algemene Inlichtingen- en Veiligheidsdienst* (Amsterdam, Universiteit van Amsterdam, 2011), p. 2

⁵⁵ van Gijn, H.A.H.W., *Vragen naar de onbekende weg. Een onderzoek naar de toepassing van de Wet Politiegegevens door de Criminele Inlichtingen Eenheden in de strijd tegen terrorisme* (Tilburg, Hoge School Avans, 2008), pp. 9-10

⁵⁶ Vis, T., *Intelligence, politie en veiligheidsdienst: Verenigbare grootheden?* (Tilburg, Tilburg University, 2012), pp. 246-255, 323-325

innovation. Arguably these characteristics (perhaps with the exception of creativity) are positively associated with collaboration and therefore prerequisites. Thus, for better cooperation the adhocracy is the preferred type of culture for both the NP and the NLD DISS. Its characteristics (minus the promotion of creativity) form the preferred end state in the normative ideal.

As indicated in figure 2 below, so far, the gained theoretical insights are the following:

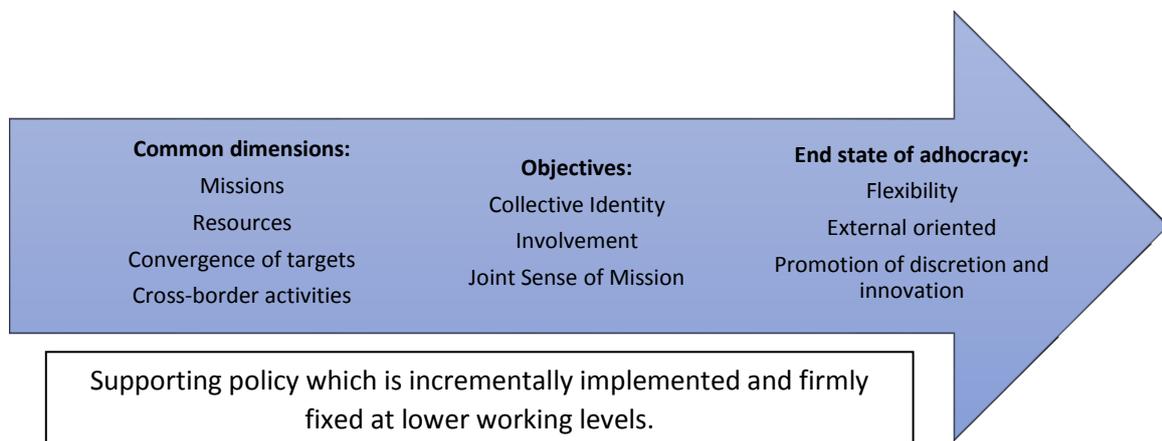


Fig. 2: The process for a cultural change in the NP and the NLD DISS which should support collaboration. The figure shows where (in both organizations) the cultural change should take place, on which cultural objectives these changes should focus and how the desired end state should look like.

2.2.4 Pathologies to mitigate

James Sheptycki, a professor of criminology at York University, conducted research in ILP across several countries. His research included the Dutch NP as research object. The Dutch NP has implemented ILP as a strategy to improve their ability to confront contemporary threats. ILP focusses on analysis of crime (statistics) in order to allocate scarce resources more efficiently. It is a policing model built around the assessment and management of risks. Intelligence officers serve as guides to operations, rather than operations guiding intelligence. It originated as a rejection of the 'reactive' focus on crime of community policing, with calls for police to spend more time employing informants and surveillance to combat recidivist offenders. ILP takes a pro-active approach in the use of analysis of data, is compatible with national security intelligence and, indeed, with the strategy of forward defence. These ILP characteristics correspond to features of intelligence methods.

Sheptycki's research suggests that cultural issues – he calls them 'organizational pathologies in Police intelligence systems' - in the NP hamper sharing and pooling data for collective intelligence gain. This finding, as well as the discerned pathologies, cannot be ignored for this research.

Some of 'Sheptycki's pathologies' can be linked to cultural characteristics of police services, indeed done so by Julian Richards, who spent nearly 20 years working in intelligence and security for the British Government. For this research, some of these cultural pathologies are relevant because they can be associated with a negative effect on cooperation. These are 'intelligence-hoarding and information silos' (there is an obvious motive to monopolize information, like possibilities for career advantage when disclosure brings about a notable success) and 'differences in occupational subculture' (contrasts in cultural styles, indicated by differences in terminology, that may result in suboptimal multi-agency cooperation).^{57 58} Another pathology introduced by Sheptycki is 'linkage blindness', albeit this pathology is not labelled by Richards as cultural. Linkage blindness appears when connections between different agencies are not easily spotted. Personnel is unaware that information could be passed between agencies and indeed should be.⁵⁹ Accordingly, Richards states that police officials may not appreciate the connection between information gathered by them and potential 'intelligence' for national security.⁶⁰ Since this pathology points out a lack of collective identity and joint involvement (see the next paragraph), I argue that linkage blindness is indeed related to organizational cultures.

The pathologies are discerned in law enforcement agencies. It is nonetheless desirable to find out whether they are present in the NLD DISS as well since they are linked with insufficient sharing and pooling of data for collective intelligence gain. Besides, it is conceivable that these pathologies are also prevailing in the NLD DISS. After all, intelligence characteristics like 'secrecy' and 'isolation' have a positive association with these pathologies, especially with 'intelligence-hoarding and information silos'. Although Sheptycki did his research in 2004, these pathologies provide concrete starting points for the case-study. 'Information hoarding', 'linkage blindness' and 'difference in subculture' are thus admitted in the normative ideal as possible existing pathologies which, if they are indeed in place, should be mitigated. Table 2 shows the (for collaboration) hampering cultural principles, or pathologies, within the NP and the GISS as ascertained by earlier research. It is conceivable that the hampering principles ascertained in the GISS are also present in the NLD DISS because of the

⁵⁷ Sheptycki, J., "Organizational Pathologies in Police Intelligence Systems" in *European Journal of Criminology* (Vol. 1, No. 3, 2004), pp. 307-332

⁵⁸ Richards, J., *The Art and Science of Intelligence Analysis* (Oxford, Oxford University Press, 2010), pp. 43-46

⁵⁹ Sheptycki, J., "Organizational Pathologies in Police Intelligence Systems" in *European Journal of Criminology* (Vol. 1, No. 3, 2004), p. 315

⁶⁰ Richards, J., *The Art and Science of Intelligence Analysis* (Oxford, Oxford University Press, 2010), p. 66

similarity of those two services. The table also shows the current cultural characteristics which are deduced from these principles/pathologies and may be prevailing in the NP and the NLD DISS.

Table 2: The current cultural characteristics and the desired cultural characteristics for the NP and the NLD DISS.

(For collaboration) impeding principles / pathologies	Current cultural characteristics (deduced, possibly prevailing in the NP and the NLD DISS)	Desired cultural characteristics (for the NP and the NLD DISS)
<p>Lack of interest (ascertained in the GISS)</p> <p>Lack of trust (ascertained in the GISS and the NP)</p> <p>Unfamiliarity / Linkage blindness (ascertained in the GISS and the NP)</p> <p>Unnecessary secrecy / Information hoarding (ascertained in the NP, may be present in the NLD DISS)</p> <p>Difference in subculture (ascertained in the NP albeit in relation to other law enforcement agencies, may also be present in the relation NP-NLD DISS)</p>	<p>(Too) internal orientated</p> <p>Competitive</p> <p>Inclination to keep in control</p>	<p>External orientation</p> <p>Promotion of discretion (and innovation)</p> <p>Flexibility</p>

2.2.5 Cultural enablers

As stated before, the process for cultural change is a difficult one that justifies further research. One has to bear in mind that creating or changing a culture through the use of words is seldom enough. In order to be effective, a conveyed norm or value has to be held widely and with intensity.⁶¹ Therefore I will not elaborate on the supporting policy and how this policy will have to be implemented and maintained (as indicated in the white textbox in figure 2). I will, however, elaborate on how the objectives can be reached by deducing and discerning concrete cultural enablers (or drivers) on which the cultural changes should focus. These enablers are the most concrete cultural principles for

⁶¹ Ahmed, P.K., "Culture and climate for innovation" in *European Journal of Innovation Management* (Vol. 1, No. 1, 1998), p. 34

effective collaboration in a law enforcement-intelligence setting. For further research or other follow up reasons, like policy development, I will indicate in the normative ideal whether these principles should be promoted as a value (which employees are intrinsically convinced of) or as a conveyed norm (a well-founded directive). Since ‘conceptions’ are very similar to ‘norms’, I will not make a distinction between these two terms. Furthermore, since the terms ‘enablers’ and ‘drivers’ indicate a positive causal relation with the objectives, the deduced concrete principles (the enablers) below, are positively formulated in the end. For the case study, the researched hampering principles will be their opposites (e.g. ‘trust - lack of trust’ or ‘isolation – openness’).

This chapter describes theoretical insights in order to identify concrete cultural principles or enablers and, if applicable, underlying sub-enablers. Some of these enablers have been identified as such in earlier academic research, others are deduced and by reasoning associated with the discerned objectives, pathologies and/or the desired end state features. Together with the objectives, the typical pathologies that ought to be mitigated if present, and the desired end state features, these enablers make up the theoretical normative ideal for better cooperation and improved information exchanges between a law enforcement agency and an intelligence service. Often these enablers can be of help in achieving more than one of the objectives. The normative ideal, which will be presented in a table, shows all (causal) relations between the (sub-)enablers, the objectives, the pathologies to mitigate and the desired cultural end state features.

Irina Goldenberg and Waylon Dean, analysts from the Director General Military Personnel of the Canadian Armed Forces, conducted research in enablers and barriers to information sharing in military and security operations. They discerned thirty different enablers (or in the absence of them; barriers), albeit these enablers were organized in denominators like ‘interpersonal’, ‘organizational and policy’ and ‘technological’.⁶² By reasoning, and given the theoretical insights gained so far, some of these enablers can be labelled as cultural and considered as relevant for collaboration in an intelligence-law enforcement setting. These enablers are the following; familiarity or cultural understanding, trust, a hybrid open-minded culture, a shared identity, the existence of informal personal channels, mission clarity, congruence in strategic objectives, common areas of responsibility, common interests and leadership support for collaboration (and information sharing).

Although these enablers are all relevant, I am compelled to make a semantic distinction. Since in this research ‘a shared identity’ and ‘mission clarity’ are denominated as cultural objectives rather than as enablers (albeit these objectives ultimately enable collaboration), I will not consider them as such.

⁶² Goldenberg, I., Dean, W.H., “Enablers and Barriers to Information Sharing in Military and Security Operations: Lessons Learned” in Goldenberg, I., Soeters, J., Waylon, H. Dean (eds), *Information Sharing in Military Operations*, (Cham: Springer International Publishing AG, 2017), pp. 251-267

Moreover, 'common area of responsibilities' is denominated as a common dimension and considered as a given fact. The element of 'common interest' (or converging interests) has been presented as a given fact as well and indeed a motive for this research in the first place. Finally, I reckon 'a hybrid open-minded culture' for a desirable end state (as the use of the term 'culture' indeed suggests) similar to the adhocracy, rather than a concrete enabler for reaching a cultural objective. The other five enablers, namely familiarity, trust, informal personal channels, congruence in strategic objectives and leadership support for collaboration, are concrete, can be applied to the case and, consequently, should be part of the normative ideal.

Of these enablers 'informal personal channels' and 'leadership support for collaboration' are self-explanatory. 'Trust' is as well, but it is worth mentioning that according to Ritu Gill and Megan Thompson from 'Defence Research and Development Canada', this enabler is critical to effective information sharing and cooperation.⁶³ Furthermore, both van Gijn's and Vis' research indicated (a lack of) trust as a determinant for information sharing between the GISS and the NP.^{64 65} 'Familiarity or cultural understanding', however, is an enabling value that is worth elaborating on. First of all familiarity should include an acquaintance with the other organization's needs and requirements because 'linkage blindness' may be a pathology (again, as indicated by van Gijn's research). Furthermore, by referring to the pathology of 'differences in occupational subculture', standardized terminology is a prerequisite for this enabler.⁶⁶ Ideally the NP and the NLD DISS should agree on some of the important terms in use by both organizations, especially regarding the term 'intelligence'. Earlier research showed that for law enforcement agencies 'intelligence' merely refers to 'tips' to finding and convicting evil-doers (despite the introduction of ILP), whereas for intelligence services the term is much more comprehensive and refers to the assembling of a broad mosaic of understanding.⁶⁷ Standardized terminology may not only mitigate the pathology of different subcultures, but also the pathology of linkage blindness. Another possibility to improve familiarity is 'burden sharing' - a customary concept in governmental circles - simply because 'working together

⁶³ Gill, R., Thompson, M.M., "Trust and Information Sharing in Multinational-Multiagency Teams" in Goldenberg, I., Soeters, J., Waylon, H. Dean (eds), *Information Sharing in Military Operations*, (Cham: Springer International Publishing AG, 2017), pp. 81-97

⁶⁴ van Gijn, H.A.H.W., *Vragen naar de onbekende weg. Een onderzoek naar de toepassing van de Wet Politiegegevens door de Criminele Inlichtingen Eenheden in de strijd tegen terrorisme* (Tilburg, Hoge School Avans, 2008), pp. 9-10

⁶⁵ Vis, T., *Intelligence, politie en veiligheidsdienst: Verenigbare grootheden?* (Tilburg, Tilburg University, 2012), pp. 246-255, 323-325

⁶⁶ Sheptycki, J., "Organizational Pathologies in Police Intelligence Systems" in *European Journal of Criminology* (Vol. 1, No. 3, 2004), pp. 307-332

⁶⁷ Treverton, G.F., "Terrorism, Intelligence and Law Enforcement: Learning the Right Lessons" in *Intelligence and National Security* (Vol. 18, No. 4, 2006), p. 122

means getting to know each other'. The fifth relevant enabler discerned by Goldenberg and Dean, 'congruence in strategic objectives', will be discussed in the paragraph below.

There are several theoretical insights from which enablers (or drivers) can be deduced which are all related to promote a joint sense of mission. Therefore I would like to use the term 'mission convergence' as a denominator of enablers. One of the enablers subsumable under this denominator is a 'congruence in strategic objectives' since both organizations need to convey roughly the same objectives to their employees. Another enabler related to 'mission convergence' is related to the typical reactive attitude of law enforcement. Such attitude is justifiable in 'low policing' activities. However, in 'high policing' a sense for pro-active strategic initiatives is preferable.⁶⁸ Law enforcement agencies must acknowledge that as long as a potential threat (i.e. terrorist activity) has not occurred yet, a pro-active attitude prevails because that may save lives. This implies that law enforcement agencies may have to share information with intelligence services and subsequently stand aside.⁶⁹ Multiagency approaches such as disruption – of which the outcome is more certain than that of prosecution –, should be emphasized. In other words, the NP may have to overcome the 'asymmetrical' relationship between correcting criminal behaviour ('low policing') and efforts to understand and prevent threats ('high policing'). The mission of 'high policing' units of the NP should approach that of the NLD DISS.^{70 71} This doesn't mean, for that matter, that 'low policing' should be marginalized because then a 'justice gap' may arise.

Vice versa, more sense for 'high policing' purposes by intelligence professionals can diminish the reluctance to share information that normally comes with the fear that secret intelligence may become public if it is used for prosecution (which doesn't mean that sharing intelligence for prosecution purposes, whenever possible, should be neglected).^{72 73} The importance of this enabler is emphasized by van Gijn's finding that the GISS' lack of interest for the NP's needs had a negative effect on their collaboration. I tagged 'a more pro-active conduct by law enforcement agencies' as the second-, and 'more sense for high policing by intelligence services' as the third enabler which should be subsumed under 'mission convergence'.

⁶⁸ Gill, P., "Organised Crime" in Dover, R., Goodman, M.S. and Hillebrand, C. (eds), *Routledge Companion to Intelligence Studies* (London: Routledge, 2014), p. 316

⁶⁹ Manget, F.F., "Intelligence and Law Enforcement" in Johnson, L.K. (ed.), *The Oxford Handbook of National Security Intelligence* (Oxford: Oxford University Press, 2010), p. 206

⁷⁰ Richards, J., *The Art and Science of Intelligence Analysis* (Oxford, Oxford University Press, 2010), p. 64

⁷¹ Brodeur, J., "High and Low Policing in Post-9/11 Times" in *Policing* (Vol. 1, No. 1, 2007), pp. 25-37

⁷² Brodeur, J., "High and Low Policing in Post-9/11 Times" in *Policing* (Vol. 1, No. 1, 2007), pp. 29-30

⁷³ Aldrich, R.J., "Transatlantic Intelligence and Security Cooperation" in *International Affairs* (Vol. 80, No. 4, 2004), p. 732

Several other enablers are in the normative ideal subsumed under the denominator of 'paradigm shifts'. First of all, as Treverton indicated, the primary purpose of law enforcement agencies to support prosecution may have created a 'paradigm of the case-file', a discrete bundle of information. This paradigm contributes to autonomous and decentralized authorities and traditions and may therefore hamper information sharing.⁷⁴ A more prominent status of analysis in policing (for 'high policing' purposes) can mitigate the impact of this paradigm.

Second, in intelligence services – and as Vis' research indicated, also in police units⁷⁵ - an owner perspective may be rampant in which a 'need to know' principle still prevails, not an 'obligation to share'.⁷⁶ Thus a shift in the trade-off between 'information ownership' and 'effective counter threat activity' may be necessary. This also means that information must not be tagged as intelligence - or, for that matter, as evidence - before the moment it is going to be used for either an intelligence product (a report) or for a judicial inquiry. Before that moment the information remains.....just information.

Furthermore, intelligence services should not underestimate the importance of target-centric analysis in the field of foreign intelligence, after all, as indicated in chapter 2, 'the convergence' also concerns target-centric (pedestrian) intelligence. Target-centric intelligence and information that can be acted upon in any meaningful way, may contribute more in preventing contemporary security threats to materialize.

Finally, by referring to paragraph 2.2.1, the view by many scholars that more cooperation is necessary, points at possible severe consequences if agencies tasked with national security responsibilities don't do that. Thus the prospect of severe consequences can be an incentive for more collaboration. A shift from programmed responses toward 'the logic of consequences' (without breaking the laws by doing so) may be necessary.

The last enabler concerns a marginalization of 'secrecy' to the minimum, in other words 'secret intelligence' must be replaced by 'public intelligence', at least by a large part.⁷⁷ Intelligence services are very susceptible for the establishment of a deep rooted organizational culture which is built

⁷⁴ Treverton, G.F., "Terrorism, Intelligence and Law Enforcement: Learning the Right Lessons" in *Intelligence and National Security* (Vol. 18, No. 4, 2006), p. 129

⁷⁵ Vis, T., *Intelligence, politie en veiligheidsdienst: Verenigbare grootheden?* (Tilburg, Tilburg University, 2012), pp. 246-255

⁷⁶ Best Jr, R.A., *Intelligence Information: Need-to-Know vs. Need-to-Share* (US Congressional Research Service, 2011), pp. 1-13

⁷⁷ Steele, R.D., "The Evolving Craft of Intelligence" in Dover, R., Goodman, M.S. and Hillebrand, C. (eds.), *Routledge Companion to Intelligence Studies* (London: Routledge, 2014), p. 78

around issues such as isolation and secrecy.⁷⁸ Hence, the relative openness of information and the centrality of secrecy is a factor that is often considered in academic research, albeit most of the time this is done in an international context.⁷⁹ Although it is often said that secrecy is required by effectiveness (and transparency by democratic control and accountability), research has shown that increased collaboration and coordination, for which a sufficient amount of openness is a prerequisite, have indeed made intelligence agencies more effective.⁸⁰ Moreover, societal developments demand an external orientation (thus a 'market culture' or an 'adhocracy'). Such open attitude is necessary for a better understanding of threats at the level of the state. Hence, intelligence services must be able to balance between openness and closeness nowadays.⁸¹ A review of its position regarding this balance may be desirable for the NLD DISS. It may also be necessary for both the NP and the NLD DISS to engage more in- or contribute more to 'whole of government approaches' in order to become more public engaged. In the normative ideal, both elements are part of the enabler 'from secrecy to (more) public'.

Table 3 on the next page shows the normative ideal deduced from theoretical insights regarding the typical corporate cultures of intelligence and law enforcement agencies for as far as they are associated with an enhancement of collaboration between the two domains. These insights formed the foundation for the case study. The cultural enablers (or drivers) were the starting points for the empirical research because, if in place, they support the NLD DISS and the NP in reaching the cultural objectives and mitigating any pathologies.

⁷⁸ Fägersten, B., "Bureaucratic Resistance to International Intelligence Cooperation – The Case of Europol" in *Intelligence and National Security* (Vol. 25, No. 4, 2010), p. 504

⁷⁹ Phytian, M., "Cultures of National Intelligence" in Dover, R., Goodman, M.S. and Hillebrand, C. (eds.), *Routledge Companion to Intelligence Studies* (London: Routledge, 2014), p. 34

⁸⁰ Bruneau T.C., Matei, F.C., "Intelligence in the Developing Democracies: the Quest for Transparency and Effectiveness" in Johnson, L.K. (ed.), *The Oxford Handbook of National Security Intelligence* (Oxford: Oxford University Press, 2010), p. 771

⁸¹ J. van Bon, *Over Veranderingen binnen de Organisatiecultuur van de Algemene Inlichtingen- en Veiligheidsdienst*, (Amsterdam, Universiteit van Amsterdam, 2011), p. 8

Table 3: 'The normative ideal'

Enabler / Driver	Objective	Pathology (to mitigate)	End State Feature	Common Dimension
Familiarity / Cultural Understanding (value) - Acquaintance with the other organization's needs and requirements - Standardized terminology - Burden sharing	Collective identity Involvement Joint sense of mission	Information hoarding Linkage blindness Difference in subculture	External orientation	Missions Resources Cross-border activities
Trust (value)	Involvement	Information hoarding	External orientation Promotion of: - discretion	Missions Convergence of targets
Paradigm Shifts (norm) - Intelligence: more target-centric analysis in foreign intelligence - LE: less 'case-file-oriented' and an increased status of analysis - Information is not considered as intelligence or evidence until used for an intelligence product or for prosecution purposes - Toward an obligation to share and less 'information ownership' - More 'logic of consequences'	Collective identity Involvement Joint sense of mission	Information hoarding Linkage blindness Difference in subculture	Flexibility External orientation Promotion of: - discretion - innovation	Missions Resources Convergence of targets
Informal Personal Channels (norm)	Involvement	Information hoarding Linkage blindness	Flexibility External orientation Promotion of: - discretion	Missions Resources Cross-border activities
Mission Convergence (norm) - Congruence in strategic objectives - LE: also (more) understanding of threats and/or a (more) pro-active conduct (disruption instead of prosecution) - Intelligence: more sense for (information that adds value to) 'high policing' and, whenever possible, for prosecution	Joint sense of mission Involvement	Linkage blindness Difference in subculture	External orientation Promotion of: - discretion	Missions Convergence of targets
Leadership Support for Collaboration (norm)	Involvement	Information hoarding Linkage blindness	External orientation Promotion of: - discretion - innovation	Missions Resources Cross-border activities
From 'Secrecy' to (more) 'Public' (norm) - More engaging in a 'whole of government approach' - Intelligence: more transparency / review of its position on the balance between openness – closeness	Involvement Joint sense of mission	Information hoarding Difference in subculture	External orientation	Missions Resources Cross-border activities

3. The research findings of the case study

3.1 Introduction

Van Gijn's earlier research showed that the Dutch LPD – especially article 24 –, as well as the Law on the Intelligence and Security Services (LISS 2002), sufficiently enable the sharing of information between the NP and the NLD GISS.⁸² Considering the few judicial differences between the NLD DISS and the GISS regarding collaboration with the NP, this observation can be projected to this case. In short the judicial possibilities for cooperation between the intelligence services and other Dutch governmental institutions (including the NP) are the following:

- The GISS can operate selected officials from the tax authorities, customs and the (military) police for their intelligence activities. The NLD DISS can request the GISS to allocate these officials for their purposes (article 60 LISS 2002).
- (Military) police officials and customs are obligated to inform the GISS (and thereby the NLD DISS) when they obtain relevant information via the selected officials referred to in article 60 LISS 2002 (article 62 LISS 2002).
- Article 38 of the LISS stipulates the procedure for sharing intelligence with the objective to prosecute suspects.
- For good practice, the intelligence services can share information with governmental institutions to whom this information concerns (article 36b LISS 2002). 'For good practice' refers to the tasks of the NLD DISS laid down in article 7 which stipulates that the service should act in the interest of national security.
- Intelligence services can ask governmental institution for reference of subjects of interest (article 17 LISS 2002).
- The NP is allowed to share information with the intelligence services based on several articles in the LPD (article 11 and further).

⁸² van Gijn, H.A.H.W., *Vragen naar de onbekende weg. Een onderzoek naar de toepassing van de Wet Politiegegevens door de Criminele Inlichtingen Eenheden in de strijd tegen terrorisme* (Tilburg, Hoge School Avans, 2008), pp. 16-103

3.2 Comparing the normative ideal with the current relevant cultural principles and cooperation

The enablers from the normative ideal (table 1) formed the starting points for the research. This chapter will discuss the findings regarding the enablers.

3.2.1 Familiarity or cultural understanding

3.2.1.1 Acquaintance with the other organization's needs and requirements

Regarding 'familiarity' the most important finding is that employees from the NLD DISS are not familiar at all with the information requirements of the NP. In its relation with the NP, the NLD DISS suffers from interagency linkage blindness. Some respondents working for the NLD DISS were convinced that the NP did not need their intelligence products, stating that the NP only needs target-centric information (which is more ubiquitous in the GISS, whereas the NLD DISS focusses on strategic foreign intelligence). Another respondent said that "the NP only needs intelligence that is suitable for prosecution purposes". This observation is in contrast with the view of respondents from the NP who stated that "the NP is more than just an investigation service". This result is striking, all the more since all respondents of the NP indicated a strong need for intelligence regarding phenomena (or strategic foreign intelligence) for their 'high policing' activities. For them, this type of validated intelligence is, amongst other reasons, most of all needed for decisions regarding the deployment of their scarce resources. The NLD DISS' unfamiliarity may be caused by the novelty of 'high policing'. For the time being, it is most of all 'low policing' that dictates an outsider's view on policing.

The NP - at least the units with nationwide responsibilities, the 'high policing' units on which this research focusses - is far more familiar with the NLD DISS. The respondents show a good understanding of the norms and values of the intelligence community and its requirements. One respondent said that "it is of the utmost importance to create a sense or understanding of 'the other side', police units must therefore prevent a 'free flow of information'". Nevertheless, the respondents indicated that the rest of the NP ('low policing' units) are less familiar with the NLD DISS (and the GISS).

3.2.1.2 Standardized terminology

One could argue that professionals from the NLD DISS and the NP 'speak the same language'. Indeed, a lot of the used jargon is similar. Nevertheless some key terms are worth pointing out. As Treverton noted, for law enforcement agencies 'intelligence' merely refers to 'tips' to find evil-doers, whereas for intelligence services the term is much more comprehensive and refers to analysed and assessed information, preferably from multiple sources.⁸³ This distinction is also visible in the NP and the NLD DISS. For the NP 'information' refers to what is considered 'intelligence' by the NLD DISS and vice versa. One correspondent from the NP stated that ILP is a 'wrong term' since ILP is not about intelligence, but about information. Different interpretations are also given to the important terms 'tactical' and 'operational'. Moreover, the NP talks about information regarding 'phenomena' and/or 'subjects' whereas the NLD DISS talks about strategic or operational intelligence and target-centric intelligence. Since these terms are crucial, the difference in terminology indicates a 'difference in occupational subculture' or a contrast in cultural style that may result in suboptimal multi-agency cooperation.

3.2.1.3 Burden Sharing

The NLD DISS shows a more reserved attitude for burden sharing than the NP, albeit that burden sharing with a law enforcement agency is considered by the NLD DISS possible and even desirable under the right conditions (for information security), especially when the NLD DISS can profit from information which is in the possession of the law enforcement agency. For the NP burden sharing comes more naturally. Units from the NP with a nationwide responsibility recognize that "due to the cross border threats in the contemporary security environment, they cannot reach the ideal situation in which law enforcement agencies generate all the necessary information and evidence by themselves", as one respondent put it.

⁸³ Treverton, G.F., "Terrorism, Intelligence and Law Enforcement: Learning the Right Lessons" in *Intelligence and National Security* (Vol. 18, No. 4, 2006), p. 122

3.2.2 Trust

Most noteworthy regarding the mutual trust between the NLD DISS and the NP is the finding that all respondents from the NP trust the NLD DISS, whereas the results from respondents from the NLD DISS show a mixed picture. Most of them trust the NP, but some indicate a general distrust within the service, probably caused by earlier incidents regarding the leaking of information. Several respondents were aware of such incidents, but were not directly involved. These incidents may have contributed to a ubiquitous feeling in the NLD DISS that police officers 'cannot keep secrets'. Of great importance for the amount of trust is also the ever-recurring fear in the NLD DISS that secret intelligence will unintendedly be disclosed when it ends up in legal proceedings. One respondent said that in an existing institutionalized form of cooperation between intelligence agencies and law enforcement elements, for this reason, the NLD DISS and the GISS demand that the law enforcement agencies cannot be represented by 'tactical officers' who are directly involved in investigations. Nevertheless, statements by NLD DISS professionals suggest that the trust in the NP and the flow of intelligence may grow if the NP meets certain conditions for information security because such conditions can mitigate the fear of unintended disclosure of secret intelligence.

3.2.3 Paradigm shifts

3.2.3.1 NLD DISS: more target-centric analysis

Most respondents from the NLD DISS consider providing decision makers at the political and military strategic level – and units on a mission - with interpretations and assessments of developments (or phenomena) as their most important responsibility. This finding also applies to counterintelligence and counterterrorism professionals who, generally, show more interest in targets (or subjects), but who nevertheless mention policy makers and the military leadership as their prime customers, not executive operational powers. Target-centric information possessed by those intelligence professionals passes internal processes of analyses in order to contribute to assessments of phenomena. The intelligence is only reported via official reports to the public prosecutor if the information contains an imminent or serious potential threat. This means that target-centric information in the possession of the NLD DISS in itself seldom gets enriched by other information in the possession of the NLD DISS nor by information from other agencies. However, the attitude from

the intelligence professionals towards more target-centric analysis is rather positive. Which means that there is no strong need for adaptation of this view.

3.2.3.2 NP: less case-file oriented and an increased status of analysis

The research shows a slightly positive result for downgrading the importance of case-files and increasing the status of analysis within the NP. Obviously, as a law enforcement agency, the NP must retain 'enough reactive capacity working on case-files'. All the same, in 'high policing' units a, as one respondent called it, "quest for intelligence led policing" is ongoing in which a case-file does not necessarily indicate direction but intelligence does (leading to a case-file). In line with this statement, a few respondents from the NP indicate that 'knowing the enemy' is common practice in military services, but in police units with national responsibilities this paradigm is certainly not as present as it should be. Still, 'high policing' units gradually pay more attention to generating a certain amount of situational awareness beyond the bounds of case-files and importance is attached to analysis. Nevertheless some of the respondents indicate that, in general, the importance of analysis is still underestimated organisation wide. One respondent mentions that those units in the NP which should utilize analytical methods, like combining information layers based on geographical references, hardly make use of them. On the other hand, the special intervention service is working hard to interpret trends and phenomena in an early stage and to "look at analysis with the help of brains, not muscles".

3.2.3.3 Information is not considered as intelligence or evidence until it is actually used for an intelligence product or for prosecution purposes

The research did not generate much data regarding this subject, so it is advisable to be reticent about the following. In the NLD DISS, in general, incoming information is considered as intelligence almost right away. This tagging of incoming information is related to aspects of secrecy since much of it comes from secret sources or from partner intelligence services. Therefore rules, regarding information security are immediately applied. 'Laundering' information (and, as a matter of fact, intelligence products) by disposing it of technical data and other classified references in order to make it more broadly available, or at least in order to avoid an upgrade in the tagging from information to intelligence, is not common practice in the NLD DISS.

3.2.3.4 Toward an obligation to share and less information ownership

In the NP - an organization which is more or less obligated to be as transparent as desirable and possible - sharing information comes naturally. This working assumption is boosted by the fact that, as an executive and operational power, the NP will directly be confronted with the downsides of lacks of information. In other words, the necessity of intelligence liaison is noticeable. Consequently, the data coming from NP respondents show almost no negative relations with the willingness to share information. For the NP, information ownership is merely applicable if the information is related to a defendant.

Again, the results of the NLD DISS show a mixed picture. The 'need to know' paradigm is still ubiquitous in the service. This is above all caused by the fear of intelligence becoming available to civil servants who – in the perception of intelligence professionals - cannot handle its classified nature with care. The intelligence professionals of the NLD DISS also attach importance to (internal) compartmentalization and to a certain extent to information ownership. According to them, compartmentalization is necessary for the required secrecy. One respondent stated that “the principle of 'need to know' should be the point of departure for compartmentalization”, thereby assuming that there is no internal linkage blindness within the NLD DISS. For the intelligence professional information ownership is primarily related to the service's care responsibilities for human sources. One respondent, however, figured that as the owner of the information he is entitled to do with it as he pleases, after all, he made the collection effort. Nevertheless, in general, NLD DISS personnel agree that information ownership should be situated at the organizational level (the director) and, under the right conditions for source protection, its limitations can be pushed back.

3.2.3.5 More 'logic of consequences'

During the research it became clear that the NP experiences and 'feels' a need for reinterpretation of relevant laws. All respondents of the NP point at the necessity to review and modernize current regulations related to collaboration and the sharing of information with the intelligence services. The main purpose of such a reform is to be able to operate more flexible and become more adaptive. Naturally, the reformed regulations must comply with current laws. One respondent of the NP indicated that he stimulates his personnel to look beyond article 10 of the LPD - since up to article 10

the restrictions for sharing and cooperation are prescribed – and, subsequently, take the explanatory memorandum, the likely intention of the law maker and the consequences of not searching for a legal solution into account. Essentially, this respondent encourages his personnel to bypass regulations and bureaucracy if this is statutory possible and considered necessary. Another police official stated that “(governmental) integration is a must and walls must be torn down if necessary. We can no longer afford ourselves a reflex of writing bureaucratic poems”. Respondents of the NLD DISS are more reluctant to think in terms of consequences, although a number of them indicate that they will search for legal boundaries if the consequences of blindly obeying regulations are assessed to be severe.

3.2.4 Informal personal channels

The research shows that a number of informal personal channels between the NLD DISS and the NP has incrementally developed in recent years. This finding is based on contacts that the respondents have themselves, not on ‘hear-say contacts’. During the interviews it became clear that the informal personal relations between police and intelligence professionals are spread throughout both organizations. Consequently, these contacts do not depend on just a few persons.

Contacts came into being during formal interagency meetings like the *Afstemmingsoverleg Terrorismebestrijding* (AOT), meant for the harmonization of counterterrorism efforts, and the *CT-Infobox*, a consultative body based on a ‘hit-no-hit’ principle. These formal contacts often have developed into informal channels. Also, contacts are established through earlier efforts by police officials to cooperate with the NLD DISS and gain access to relevant information in the possession of the service. The existing (horizontal) channels are above all situated at the middle management level.

At the moment the added value of these informal personal channels is limited. One respondent of the NP valued the sporadic informal meetings he has with intelligence professionals in order to exchange views on strategic security developments, as important. The consultations also augmented the trust in the intelligence professionals. Nevertheless he added that a structured and constant access to validated strategic intelligence is required (as indicated in paragraph 3.2.1.1). The sharing of this type of intelligence during formal meetings is, according to police officials, also too limited due to the purposes of these meetings, i.e. the harmonization of efforts and/or the determination whether there are interagency ‘hits’ that need attention.

Notwithstanding the abovementioned flaws, the sheer number of informal personal channels suffices as a prerequisite for more cooperation and information sharing. In other words, if the organizations change their liaison policies in order to substantially improve cooperation and the exchange of information, existing (informal) channels should be able to function as acknowledged or (more) institutionalized channels, ease the exchange of information and handle the extra workload.

3.2.5 Mission convergence

3.2.5.1 Congruence in strategic objectives

Intelligence services and law enforcement agencies theoretically share a common dimension in their mission to secure national interests. Therefore, here, the strategic objectives of both the NLD DISS and the NP are considered to be the safeguarding of national interests and the improvement of the security of Dutch nationals. Considering these shared strategic objectives the research data points to the following. In 'high policing' units, national security is considered as the main strategic objective. To a certain extent this is also the case for the NLD DISS. It is nevertheless desirable to elaborate on this finding. Related to this sub-enabler is the observation that a lot of the NLD DISS respondents consider informing policy makers, the military leadership and military units on a mission about strategic matters as their main objective (see also chapter 3.2.3.1). This includes, for that matter, reactive interpretations of events. Considering the legal tasks of the service, high level policy makers and the military leadership are indeed the prime customers of the NLD DISS. One respondent intentionally defined the customers of the intelligence products at the ministerial level because "that's the level at which the NLD DISS is positioned and should act". Thus the service's contribution to national security is most of all strategic while the intelligence respondents associate the main tasks of police forces (in their view the gathering of evidence and the apprehension of evil-doers) with the tactical level, not the operational or strategic level. This means that the missions of both organizations may have converged, but not to the extent that there is congruence. One NLD DISS respondent saw nevertheless a common mission for intelligence and law enforcement agencies in the sense that both domains want to get at the truth.

3.2.5.2 NP: more understanding of threats and a more pro-active conduct

The sense of mission in units from the NP with national responsibilities has incrementally changed since terrorism became transnational. All respondents favour a more pro-active attitude, recognize their need for strategic analyses and said to give priority to “the useful tactic of disruption” at the expense of prosecution. They indicate that since the introduction of ILP years ago, in the police units with national responsibilities a gradual change towards a more pro-active attitude is noticed. For example, thinking in terms of scenarios becomes more and more common practice. The data coming from the NP show nevertheless a remarkable distinction between the views of the respondents and what they believe is the prevailing view in their working environment. According to the respondents, organization wide and in their own units, the NP is still too geared to reactive activities. Their perception that the NP still shows a too reactive attitude is comprehensible and endorses their determination for a more pro-active conduct of the units they command. For ‘low policing’ purposes, however, a reactive attitude is indeed justifiable considering the organization’s primary task of bringing criminals to justice. All the same, the trend towards a more pro-active attitude and the responses from the interviewees allude to a sound potential in the ‘high policing’ units for suffice pro-active activity in the near future if the leadership keeps supporting this development.

3.2.5.3 NLD DISS: more sense for (information that adds value to) high policing and, whenever possible, for prosecution.

Intelligence professionals from the NLD DISS look upon the NP as a law enforcement agency that is responsible for gathering evidence and bringing criminals to justice. If the NLD DISS collects information about a person who, in its perception, forms an imminent threat, they will declassify and report the information to the public prosecutor. The formal report is by then ‘laundered’ and can merely serve as starting information for the police to gather their own evidence. So, the sense for the prosecution task of the NP is present in the NLD DISS to a certain extent. However, it is unclear how much relevant starting information for prosecution gets lost during the laundering process. Moreover, the relevance of the information for prosecution purposes (or the imminence of the threat) is assessed by NLD DISS personnel. The target-centric information in the possession of the NLD DISS seldom gets enriched by information in the possession of other agencies (with the exception of the GISS) if it is not shared or put forward in interagency ‘hit-no-hit systems’. This may lead to misjudgments. A pathology - resembling interagency linkage blindness - I’d like to refer to as

‘governmental enrichment blindness’. This also means that a lot of useful operational and tactical information is merely utilized for analyzing strategic phenomena in the service.

Another important finding is that in the NLD DISS a sense for ‘high policing’ is totally absent. This is caused by the unfamiliarity of the intelligence professionals with the NP as described in chapter 3.2.1.1. Thus the requirements of high policing units, like strategic foreign intelligence products, are not known and not recognized by the intelligence professionals (interagency linkage blindness). In this regard a statement by a police official is remarkable. He stated that “because in the Netherlands information is not shared by the intelligence services, unlike abroad, the Dutch situation is superseded and dangerous”. Also noteworthy is the view by the intelligence professionals that law enforcement agencies can only receive intelligence via official reports to the public prosecutor. This view is rooted. Consequently other pathways to share intelligence which is not meant for- and not directly suitable for prosecution purposes, are not taken into consideration.

3.2.6 Leadership support for collaboration

In general, in the NLD DISS, taking initiatives for collaboration with new potential partners is not encouraged, but it is not discouraged either. A reserved attitude, or rather one that is cautious or prudent, is prevailing, especially when it concerns law enforcement agencies. However, the necessity to look beyond the traditional (and safe) partnerships is felt. The NP is, as organization, adapting incrementally to the transnational threat environment. Consequently, the leadership of the units in the NP with national responsibilities has accepted the organization’s dependency on other services beyond its time-honoured (national and governmental) liaison network.

3.2.7 From ‘secrecy’ to (more) ‘public’

3.2.7.1 More engaging in a ‘whole of government’ approach

The NLD DISS in a way attaches importance to integrated governmental approaches and operations. A few respondents talked about potential complementary collaboration with the NP. However its actual engagement in interagency activities is certainly not for granted. The service takes part in several interagency initiatives (for most part in order to get information), but is nevertheless inclined to stick to its time-honoured administrative position. Efforts to extent its administrative ‘footprint’ by

engaging with new governmental partners (and/or costumers), including more information exchanges with law enforcement elements, are scarce and susceptible to internal resistance. Related to this observation is the finding that NLD DISS respondents brought up the ‘quid pro quo-principle’ (the principle of direct mutual gain, or compensation) - a common principle in the international intelligence community – several times, notwithstanding the national setting of this research. Nevertheless, the NLD DISS has accepted more national liaison as a necessity and policy is developed for that purpose. However, allocating means for this purpose still has a low priority. For now, collaboration is primarily associated with liaison activities with international partners from the intelligence community. The NP is much more inclined to engage in (national) interagency operations and collaborations. Almost all data hits coming from the research in the NP show a positive relation with comprehensive governmental approaches.

3.2.7.2 NLD DISS: more transparency / review of its position on the balance between openness and closeness

The findings in the NLD DISS regarding this enabler show mixed results. Closer examination reveals that the intelligence professionals, understandably, attach great importance to securing their secret sources, methods and their information position. Conditions granting the protection of these aspects turn out to be prerequisites for more information sharing. Most respondents in the NLD DISS refer to such conditions when talking about the ‘transparency’ of their organization. Although, at first sight, such conditions seem incompatible with features like transparency and openness, creating the right conditions for information security (including securing information about sources, modus operandi and positions) might lead to more institutionalized possibilities to exchange information and, consequently, to more (accepted) openness, at least towards parts of other governmental agencies. One such condition for information security might be the selecting and vetting of police officials who may, under strict regulations, profit from the intelligence. Hence, in a way, it would be more appropriate to consider the balance of ‘openness – closeness’ as a balance of ‘secrecy – sharing possibilities under conditions for information security’. In short, the NLD DISS’ position on the balance openness-closeness is conditional.

4. Conclusions

The research confirms the common dimensions (resources, missions, cross-border activities and the convergence of targets) of the NLD DISS and the NP. In the end, both organizations have the same mission (which does not mean they have the same sense of mission), namely safeguarding the Dutch population and state interests from threats. Also, the contemporary cross-border threats have compelled the Dutch NP to adopt a strategy of forward defence, resulting in more activities abroad and a convergence of targets with the NLD DISS. Both organizations also have a common dimension in their resources, not only regarding their authorities,⁸⁴ but also in their analytical aims because the forward defence strategy has triggered a rising interest from the NP in phenomena and developments abroad.

The sheer existence of common dimensions confirms that it is possible for the NLD DISS and the NP to collaborate closely for mutual benefit. If some cultural features are 'replaced with others' the mutual benefit may increase since the research findings indicate the following.

The featuring cultural principles in the NLD DISS which hamper collaboration are:

- A lack of familiarity with the NP;
- A lack of trust regarding the NP if conditions for information security are not met;
- The paradigm 'need to know' has not evolved into 'obligation to share' to the desirable extent;
- A 'logic of consequences' is not taken for granted concerning its collaboration with the NP;
- The NLD DISS' mission is not unambiguous and its relation to the mission of the NP is not clear;
- 'Secrecy' (and the fear for a disclosure of secrets) dominates the direction of liaison activities.

The featuring cultural principles in the NP which hamper collaboration are:

- An unfamiliarity with 'intelligence terminology';
- 'High policing' units are still too much case-file oriented, although understanding phenomena is more and more considered as important and the status of analyses is rising. In other words, ILP hasn't reached its full stature yet.

Some of these findings need to be elaborated because they are prominent, relevant for mitigating a pathology or have negative consequences for the cultural objectives and/or current collaboration.

⁸⁴ Albeit the authorities of both agencies are not researched, one can easily ascertain that these are similar by comparing their statutory possibilities.

One of the most prominent findings regarding the NLD DISS is that a fear of secret intelligence (and its sources, methods and information position) becoming public knowledge is ubiquitous. From a collaborative perspective, this fear negatively influences cultural features like above all trust, the degree of openness and the paradigm of 'an obligation to share'. The fear is invigorated by incidents in which intelligence was leaked. Such incidents are sporadic. Nevertheless they create the 'hypothetical myth' that secret intelligence in the hands of police officials equals a high risk of disclosure of secret intelligence to the public.

Another relevant conclusion is that the NP is far more familiar with the tasks, needs and possibilities from the NLD DISS than vice versa. The consequence of the interagency linkage blindness in the NLD DISS is that the relevance of strategic intelligence for an efficient employment of 'high policing' means is not recognised by the intelligence professionals. The NP attaches more and more importance on achieving situational awareness and a good understanding of the context and phenomena in which threats materialize. Thus the NP is acting at a strategic level as well, not merely at the tactical level which is assumed by a lot of intelligence professionals.

At the same time, objections (instigated by 'the fear') from these intelligence professionals regarding the sharing of information with the NP are foremost applicable to target-centric intelligence that contains information about individuals, not so much to strategic intelligence. The reason for this is that, in general, the latter type of intelligence products is less 'sensitive' (in the rare case of leaking the impact is relatively small) and usually not suitable as evidence. After all, strategic intelligence usually consists of analysis and assessments of developments and phenomena abroad, not of information about individuals. Also, the higher level of abstraction of this type of intelligence 'conceals' sensitive information like sources and modus operandi. For that matter, this does not exclude the fact that, under conditions, more tactical intelligence can and should be exchanged so that target-centric intelligence can be enriched and 'governmental enrichment blindness' is mitigated.

Concerning 'the fear' it is noteworthy that intelligence professionals are inclined to associate the exchange of intelligence with the NP as risky. It is striking that almost every respondent of the NLD DISS immediately brought up the hazards of leaking intelligence involved with such dissemination. The benefits for national security (and in fact for the NLD DISS as well) did not come to mind. This fear is invigorated by the thought that intelligence might be used for prosecution purposes (again, one has to bear in mind that strategic intelligence usually is not useful as evidence). Although 'secrecy' will always be at odds with the current necessity for integrated governmental approaches, sharing intelligence with selected police officials is not the same as a disclosure of intelligence in a

public domain. After all, one could argue that carefully selected, vetted and trained police officers do not fall into the 'public' category. Information exchange with a small group of selected police officials in need can be a conscious dissemination of intelligence products if safeguards are in place. The greater risk of intelligence leaking, inextricably bound up with a broadened dissemination of secret intelligence, can therefore be mitigated. Just the same, the NLD DISS' reluctance to share information with police officials is caused by distrust, indeed confirmed by indications from many NLD DISS respondents who are convinced that the NP is not able to handle state secrets with care.

Furthermore, a view in the NLD DISS that intelligence cannot be shared with law enforcement agencies unless there is an immediate necessity for prosecution of alleged terrorists, is ubiquitous. However, article 38 of the LISS which stipulates the procedure for sharing intelligence with the objective to prosecute suspects, does not exclude the sharing of other types of intelligence products with law enforcement agencies. More than that, article 36 (clause b) of the LISS stipulates that the NLD DISS should provide needful governmental institutions with intelligence. In short, unfamiliarity of the NLD DISS with the NP causes interagency linkage blindness and information hoarding in the sense that, given the legal possibilities, intelligence is not optimally disseminated at the national level.

A secondary consequence of the perceived restrictions for sharing information with the NP is that law enforcement agencies are primarily considered by the intelligence professionals as means to improve their information position, as it were as 'one-way partners' rather than as customers as well. Related to this phenomena is the tendency in the NLD DISS to project the 'quid pro quo-principle' to the national situation. This means that during initiatives or plans for collaborations with national agencies, these agencies are likely to be primarily evaluated as an one-way partner rather than as a customer as well. Although it is also plausible to search for partnership and ask the question "what's in it for us?" in a national setting, the intelligence service is inclined not to invest in a national partnership if there is no direct gain for the NLD DISS. In such cases, considering the once potential partner agency as merely a customer of intelligence products may not be something that goes without saying. If so, the NLD DISS will be passing over national governmental interests and its moral and statutory (article 36) obligations. It is conceivable that the fear of unintended disclosure invigorates this pathology. So, not surprisingly, but for the purpose of better cooperation with the NP nevertheless striking, is the great importance that the intelligence professionals attach to foreign intelligence services as their partners, more so than national agencies that are tasked with safeguarding national security and interests (albeit that national liaison activities beyond the current cooperation with the GISS are considered as important).

Here, another observation is noteworthy. Despite the abovementioned pathology, the NP and the NLD DISS are 'closer located to each other' on the spectrum from a pro-active to a reactive attitude than one might believe at first sight. While 'high policing' units show a predominantly pro-active strategy, the NLD DISS actually often interprets and assesses events in hindsight.

Regarding the sense of mission, the NLD DISS' perception that (strategic) intelligence primarily serves decision makers at the departmental level in order for them to make the right policy choices, is of importance. The NLD DISS considers its contribution to national security as indirect, and indeed it is. Caused by this perception, the (international) threat environment is considered to be a subject of interest rather than a subject that can and must be influenced by an integrated national approach. Consequently the service lacks an urge to get involved and really engage in common governmental efforts to achieve national security (a sense of urgency is 'recognized, but not really felt'), notwithstanding some interagency operations the service is involved with. As it were, the NLD DISS is merely reporting as a bystander, albeit its products are indeed of great value for policymakers who deal with national security and for military commanders. Nevertheless the latent sense for 'potential complementary collaboration' with the NP may form a foundation for improved cooperation with law enforcement agencies.

The rooted working assumption that intelligence primarily serves high level decision makers in their policy choices also 'represses' a notion that national executive powers, like the NP, can be secondary customers – also for strategic foreign intelligence - without having to abandon the service's primary and legal tasks. Moreover, this assumption is also invigorating the already mentioned pathology of the non-optimal-use of clause b from article 36 LISS. It means this shortcoming is not only caused by an interagency linkage blindness, but also by a lack of eagerness to exploit all legal possibilities for lower level governmental information exchanges.

In general, the cultural features of the NP are more apt for improving collaboration with the NLD DISS. These features are not influenced by the need for 'secrecy', at least not to the extent as they are in the NLD DISS. Indeed, respondents from the NP indicate that their units cooperate closely with other (law enforcement) agencies like the customs and the tax department. Now, the respondents are, as it were, inclined to project the same conditions of these collaborations onto a desired cooperation with the Dutch intelligence services. While recognizing the particular demands by intelligence services for information security, the NP underestimates the hurdles that needs to be taken. After all, pragmatic solutions like creating the right conditions for the exchange of information are necessary and may be a step in the right direction, but a change in some essential working assumptions of the intelligence professionals is also needed. All the same, the NP's willingness to

share information with the intelligence services is substantial. Only if the information concerns a suspect (one becomes a suspect only after conclusive evidence justifies a criminal investigation) it will not be shared with the intelligence services.

In brief, in this case the blurring distinction between law enforcement and intelligence turns out to consist mostly of a move by the NP to more 'high policing' and pro-active activities which includes a desired rapprochement with the NLD DISS. The intelligence service, compelled by the current security environment, also moves into new territory by carrying out more and more operations in the realm of local communities and societal dynamics. It is, however, both reluctant and unaware of the possibilities to engage in new collaborative relations beyond the intelligence community. Although ultimately the congruence of strategic objectives between intelligence and law enforcement is recognized by the intelligence professionals, it is not sufficiently resulting in an adaptation of its sense of mission and its involvement in comprehensive national interagency approaches, let alone in adopting a more or less collective identity with certain units of the NP as 'guarders of state security'.

It is fair to say that at the moment the NLD DISS comes across as a wavering organization which is struggling to find terms for adapting to the compelling conditions of the contemporary threat environment. The mixed results of the NLD DISS on almost every researched cultural feature point at an organization in cultural transformation. As to that, undoubtedly the service made progress in recent years, but some characteristics which are (historically) inextricably bound up with intelligence services, like secrecy, hamper the speed of this transformation. Therefore the theoretical desired end state of an adhocracy as type of corporate culture, is not reached yet. One could argue that the NLD DISS still shows much characteristics of a hierarchy. Its culture is gradually changing towards a market culture, with a slight inclination to bend over to an adhocracy. The promotion of discretion and innovation seems present in the service.

The NP's presumed internal focus in its relation with the intelligence services (based on earlier research findings) cannot be corroborated by this research. In fact, nowadays 'high policing' units show trust in the NLD DISS and are eager to cooperate with the service. Although this research did not aim to identify the prevailing type of culture within the NP based on Quinn and Cameron's model, the results indicate a move from a hierarchy to an adhocracy. An external focus is indeed present, but so is bureaucracy, causing inflexibility.

4.1 Recommendations

If the NLD DISS aims to broaden its national liaison activities and to contribute more to national security without having to abandon its current tasks and intelligence activities, the service has to review some of its working assumptions substantially and shift some of its norms and values that are related to collaboration. First and most of all, a renewed consideration of the importance of sharing information for national security interests seems appropriate. In other words a critical review and assessment of the benefits versus the costs of information exchanges with law enforcement elements should be carried out. In this case the costs consist of the risks of intelligence becoming unintendedly disclosed to the public. The benefits consists of more contributions to- and more relevance for national security. Thereby the service will generate surplus value and consolidate a relevant position in a national network of agencies. In short, the threat environment compels the service to tackle ‘the fear’ and accept a slightly greater risk of secret intelligence becoming public knowledge (which does not mean it should adopt a careless attitude towards classified information).

To achieve this, it is recommended to consider and redefine terms such as ‘secrecy’ and ‘public knowledge’. As Nick Selby, who runs a police intelligence sharing group, rightly stated the other day “intelligence is a process, not just a product. When intelligence is not shared appropriately, the process breaks. That’s a bigger problem than leaks”.⁸⁵ What this means is that the NLD DISS should consider adopting a philosophy of risk management rather than sticking to its current philosophy of risk avoidance. A prevailing risk management philosophy might mitigate, or counterbalance, the current risk avoidance attitude. For the purpose of broadening its national liaison activities, risk management mainly consists of implementing safeguards for information security at selected places in national governmental agencies that are in need of (strategic) intelligence products.

Furthermore, the NLD DISS needs to develop a disclosure policy with the aim to broaden its dissemination of intelligence products and to make intelligence products more widely available without augmenting the risks involved for information security to an unacceptable level. This policy should be based on a (newly adopted) risk management philosophy and relevant (shifted) norms regarding ‘secrecy’ and ‘public knowledge’. It should support a shift from the logic of monopolizing information towards a logic of information sharing, for example by reforming the ‘incentive scheme’. A quick win of such policy can be the recognition of the NP’s need for strategic intelligence (thus combined with the implementation of some safeguards for information security). Providing strategic

⁸⁵ Selby, N., “The real crisis isn’t the intelligence that we leak, it’s what we don’t share” in *The Los Angeles Times: Opinion Edition* (31 may 2017)

intelligence to a selection of police officials who can influence the allocation of scarce police resources can augment the NLD DISS' relevance for national security substantially.

The corporate culture of the NP is already largely favourable for cooperation with the NLD DISS. For the NP it is merely necessary to continue leadership support for cooperation, create more awareness for information security and to get more familiar with 'intelligence terminology'. Important terminology that should be agreed upon are the terms 'intelligence', 'strategic', 'operational' (or 'operations'), 'tactical', 'targets', 'subjects' and 'phenomena'. Finally the NP needs to understand that for intelligence services the exchange of intelligence does not come easy. The NLD DISS needs to overcome more and higher hurdles than just the implementation of a few conditions for information security.

Establishing new cultural norms regarding the abovementioned paradigms will stimulate cooperation between the NLD DISS and the NP. It is nevertheless possible to implement structural improvements as well. Although the organization structures of the NP and the NLD DISS were not subjected to this research, some relatively simple structural changes may be able to mitigate some of the discerned cultural obstructions for cooperation. First, the aforementioned disclosure functionality needs to be anchored in the NLD DISS' organization chart. Assuming that employees with disclosure tasks see most of the written intelligence products, it is desirable that they are very familiar with the needs and requirements of other governmental agencies. Such structural solution may mitigate the current interagency linkage blindness that is rampant in the NLD DISS. Another structural change can be the introduction of a 'laundering' functionality in the organization of the NLD DISS. In this case 'laundering' refers to a process of declassification of intelligence products with the help of open sources (which, for that matter, contributes to the evaluation of closed sources) and by disposing technical data and other references to conceal sources, collection methods and information positions. 'Laundering' will not only facilitate a wider dissemination of intelligence products, it will also reduce the fear for unintended disclosure of state secrets. Moreover, if done well, it can generate intelligence leads for the NP (and other law enforcement agencies) to take forward in lawful ways.

As mentioned, I will not elaborate on the supporting policy and how this policy will have to be implemented and maintained. It is, however, worth giving an initial impetus by indicating that, besides some structural improvements, procedural reforms can 'endorse' some cultural drivers, like the introduction of closed material procedures in civil proceedings. For example, sensitive information from intelligence services can be considered (and 'laundered') in private by security-vetted barristers for prosecution reasons. Other possibilities concern common training, common

meetings, pre-planning of information sharing and the creation of platforms for information sharing through horizontal channels at midrange working levels, for example by creating mission centres and more comprehensive collective information systems.⁸⁶ Since the development of policy normally creates more bureaucracy, it is necessary to reform all relevant policy, rather than to simply introduce new policy. After all, the mere fact that policy needs to be reformed confirms that part of the segregation between the NLD DISS and the NP is over-institutionalised, self-inflicted and unintendedly retained because of prevailing cultural aspects, whether the relevant regulations are written down in standard operating procedures or not. Less bureaucracy will make the agencies more efficient and effective and can be seen as a force multiplier.⁸⁷

Adapting the abovementioned working assumptions, introducing structural improvements and supporting policies will improve cultural conditions for cooperation. Both organizations will be more capable to anticipate opportunities and make full use of the interagency potential which, in the end, is in the interest of Dutch national security.

Finally, it is noteworthy that issues between intelligence and law enforcement will continue because of their different tasks. This means that the professionals and policymakers of both organizations need to act well-informed and well-intentioned to support (and de-conflict) their activities.

4.2 Suggestions for further research

Although the research findings provide some suggestions for altering the organization cultures from the NP and the NLD DISS, cultural changes are complex processes which demand a well-considered strategy. As stated before, creating or changing a culture through the use of words is seldom enough. In order to be effective, a conveyed norm or value has to be held widely and with intensity. Since cultural change does not come easy and may take years of gradual change, further research can be done into the best way to implement the cultural enablers and convey shifting norms and values. Such research should formulate a strategy for cultural change or define a supporting policy which can be incrementally implemented and firmly fixed at lower working levels. Another suggestion for further research is related to the observation that, ultimately, people decide which norms and values they will adopt. Since this research was primarily focussed on which cultural principles should be in

⁸⁶ Goldenberg, I., Dean, W.H., "Enablers and Barriers to Information Sharing in Military and Security Operations: Lessons Learned" in Goldenberg, I., Soeters, J., Waylon, H. Dean (eds), *Information Sharing in Military Operations*, (Cham: Springer International Publishing AG, 2017), pp. 251-267

⁸⁷ Richards, J., *The Art and Science of Intelligence Analysis* (Oxford, Oxford University Press, 2010), pp. 68-69

place and which should not, the susceptibility of the employees of the NLD DISS and the NP for the suggested cultural changes is not researched and remains to be seen.

5. References

- Ahmed, P.K., "Culture and climate for innovation" in *European Journal of Innovation Management* (Vol. 1, No. 1, 1998), pp. 30-43
- Aldrich, R.J., "Transatlantic Intelligence and Security Cooperation" in *International Affairs* (Vol. 80, No. 4, 2004), pp. 731-754
- Allison, G.T., Zelikow, P.D., *Essence of Decision: Explaining the Cuban Missile Crisis* (New York: Addison-Wesley Longman Inc., 1999), pp. 143-196
- Alvesson, M., *Understanding Organizational Culture: second edition* (London: Sage Publications Ltd., 2013)
- Bate, S.P., *Strategies for Cultural Change* (Oxford: Butterworth-Heinemann, 1995)
- Best Jr, R.A., *Intelligence Information: Need-to-Know vs. Need-to-Share* (US Congressional Research Service, 2011), pp. 1-13
- van Bon, J., *De AIVD in een nieuw tijdperk: over veranderingen binnen de organisatiecultuur van de Algemene Inlichtingen- en Veiligheidsdienst* (Amsterdam: Universiteit van Amsterdam, 2011)
- Brodeur, J., "High and Low Policing in Post-9/11 Times" in *Policing* (Vol. 1, No. 1, 2007), pp. 25-37
- Bryman, A., *Social Research Methods* (Oxford: Oxford University Press, 4th edition, 2012)
- Cameron, K.S., Quinn, R.E., *Diagnosing and Changing Organizational Culture: Based on the Competing Values Framework* (San Francisco: Jossey-Bass, revised edition, 2006)
- Cogan, C., "Hunters not Gatherers: Intelligence in the Twenty-First Century" in *Intelligence and National Security* (Vol. 19, No. 2, 2004) pp. 304-321
- Denison, D.R., Mishra, A.K., "Toward a Theory of Organizational Culture and Effectiveness" in *Organization Science* (Vol. 6, No. 2, 1995), pp. 204-223
- Dover, R., Goodman, M.S. and Hillebrand, C. (eds.), *Routledge Companion to Intelligence Studies* (London: Routledge, 2014), pp. 71-84, 264-273, 313-320
- Fägersten, B., "Bureaucratic Resistance to International Intelligence Cooperation – The Case of Europol" in *Intelligence and National Security* (Vol. 25, No. 4, 2010), pp. 500-520
- Fredman, J.F., "Intelligence Agencies, Law Enforcement, and the Prosecution Team" in *Yale Law & Policy Review* (Vol. 16, 1998), pp. 331-371
- Goldenberg, I., Soeters, J., Waylon, H. Dean (eds), *Information Sharing in Military Operations*, (Cham: Springer International Publishing AG, 2017)

- de Graaff, B., “Waterboarding, rendition, secret flights and prisons. Verwording of verwezenlijking van inlichtingenvergaring als methode van terrorismebestrijding aan het begin van de 21e eeuw?” in *Contraterrorisme en Ethiek* (Amsterdam: Uitgeverij Boom, 2011), pp. 15-24
- van Gijn, H.A.H.W., *Vragen naar de onbekende weg. Een onderzoek naar de toepassing van de Wet Politiegegevens door de Criminele Inlichtingen Eenheden in de strijd tegen terrorisme* (Tilburg, Hoge School Avans, 2008)
- Johnson, L.K. (ed.), *The Oxford Handbook of National Security Intelligence* (Oxford: Oxford University Press, 2010), pp. 189-211, 343-358
- Lammers, C.J., *Organiseren van Bovenaf en van Onderop* (Utrecht: Het Spectrum B.V., 1993)
- Locke, C., Nyce, J.M., de Graaff, B., *The Handbook of European Intelligence Cultures* (Lanham, Maryland: Rowman & Littlefield, 2016)
- Manget, F.F., “Intelligence and the Criminal Law System” in *Stanford Law and Policy Review* (Vol. 17, 2006), pp. 415-436
- Moses, J.W. and Knutsen, T.L., *Ways of knowing* (New York: Palgrave MacMillan, 2nd edition, 2012)
- Parker, R. and Bradley, L., “Organisational culture in the public sector: Evidence from six organisations” in *International Journal of Public Sector Management* (Vol. 13, No. 2, 2000), pp. 125-141
- Richards, J., *The Art and Science of Intelligence Analysis* (Oxford, Oxford University Press, 2010)
- Rudner, M., “Hunters and Gatherers: The Intelligence Coalition Against Islamic Terrorism” in *International Journal of Intelligence and Counterintelligence* (Vol. 17, No. 2, 2004), pp. 193-230
- Sheptycki, J., “Organizational Pathologies in Police Intelligence Systems” in *European Journal of Criminology* (Vol. 1, No. 3, 2004), pp. 307-332
- Treverton, G.F., *RAND Studies in Policy Analysis: Reshaping National Intelligence for an Age of Information* (Cambridge: Cambridge University Press, 2001)
- Treverton, G.F., “Terrorism, Intelligence and Law Enforcement: Learning the Right Lessons” in *Intelligence and National Security* (Vol. 18, No. 4, 2006), pp. 121-140
- Vis, T., *Intelligence, politie en veiligheidsdienst: Verenigbare grootheden?* (Tilburg, Tilburg University, 2012)
- van Wifferen, L., *Het gebruik van AIVD-informatie in het strafproces* (Nijmegen, Radboud University Nijmegen, 2016)

Appendix

Quantitative scores from the interviews and questionnaires

Introduction:

- Repeated statements during interviews are only considered and ‘quantified’ once.
- Single statements by- and opinions from the interviewees can have yielded indications about several enablers.
- Different statements by the same respondent can have yielded both negative as well as positive indications about the same enabler.
- Remarks regarding the way the respondent experiences certain enablers in his or her working environment are valued as a single indication as it is the perception of merely one respondent. Here, the ‘working environment’ consist of (the perception of) the working assumptions of colleagues in the usual work setting as well as in institutionalized collaborations between law enforcement and intelligence agencies. These scores are marked as ‘general’.

The scores are the following:

Acquaintance with the other organization’s needs and requirements:

NLD DISS: - - - - + - + - - - + - - - - - - - - - - + - + - - - - -

NP: + + + + + + + + + + + + + + + + (general: - - -)

Number of hits: 43

Standardized terminology:

(Only the scores from the NP are counted since it concerns a non-judgemental comparison with the NLD DISS. A negative score indicates a different interpretation of a term by the NP in comparison with the interpretation by the NLD DISS)

NP: - - + - - - - - + - - - + - + - - - -

Number of hits: 17

Burden Sharing:

NLD DISS: - - + + + + + - + - - - - - + + + - + + + + + + (general: + + -)

NP: + + + + + - + + + + + + (general: - + -)

Number of hits: 42

Congruence in strategic objectives:

NLD DISS: + - + + - + - - + + - - - + - - - + - - - + - + - - - + - - - + - + - - - + - + - - - +

NP: + + + + - + + + + - + + + - + + + + (general: - - +)

Number of hits: 72

NP: more pro-activity:

NP: + + + + + + + + + + + + - + + + + + + - + (general: - - - - - - -)

Number of hits: 31

NLD DISS: more sense for prosecution and high policing:

NLD DISS: - - - + - - + + + - + + - - - + - - - + - + - - - - - - - - + - + - - + - - - - - + (general: - - -)

Number of hits: 48

Leadership support for collaboration:

NLD DISS: - - + - - + + + - + + + + (general: +)

NP: + + - + + + + - + + - + + - (general: - +)

Number of hits: 30

More engaging in 'whole of government' activity:

NLD DISS: - - - + + + - + + - - + - + + - + + - - - + + - (general: + +)

NP: + + + + + + + - + + + + + + (general: - - + + +)

Number of hits: 48

NLD DISS: more transparency:

NLD DISS: - + + - + - + + - - + - - - (general: - -)

Number of hits: 16

Total number of hits: 597