Seminar report:

The threat environment of the UK and Scotland in the context of the UK National Security Strategy

Report on the second of six events in the seminar series:
Security in Scotland, with or without constitutional change

Principal investigator and corresponding author:
Dr Andrew Neal, University of Edinburgh
andrew.neal@ed.ac.uk

Lead co-investigators:
Dr Juliet Kaarbo (University of Edinburgh)
Prof Charles Raab (University of Edinburgh)

Other co-investigators:
Prof Stephen Tierney (University of Edinburgh)
Prof Thierry Balzacq (University of Namur, Belgium)
Dr William Vlcek (University of St. Andrews)
Dr Holger Stritzel (University of St. Andrews)

On January 31st 2014 we held the second of six seminars to discuss the security implications of Scottish independence. The event considered the risks and threats that the UK faces according to the National Security Strategy and whether these would be the same for an independent Scotland. We also investigated the methods used by governments to assess these risks and threats.

Participants were a mixture of academics and researchers from the fields of political science, international relations, criminology and law, Scottish Government officials and current and former members of the security and intelligence community. The event was held under the Chatham House rule to facilitate frank discussion. This report is the lead project investigators' selective interpretation of the seminar discussions. Although we have aimed to synthesise accurately the views of those who took part, the content should not be attributed to any of the participants other than the project investigators. Despite the single voice presented here, there were ample differences between the participants.

Scotland, security and independence: the context in early 2014

Much has changed since the launch of our research seminar series on 4 October 2013 when we could only speculate on the replacement security governance arrangements that the Scottish Government would propose to create for a newly independent Scotland. Since then, the UK and Scottish governments have published documents that clarify their respective positions on Scottish independence and security. In late October the UK government published its 'Scotland Analysis: Security' paper. In late November the Scottish Government published its 'White Paper' ('Scotland's Future'), outlining its security proposals in the chapter on 'Justice, Security and Home Affairs'. The documents contain much that is statement of fact or policy, but they are also exercises in political positioning in advance of the referendum. Neither document can fully address the uncertainties and negotiations that would follow in the event of a 'yes' vote.

Assessing threats and risks: the National Security Strategy

The UK National Security Strategy (NSS) was the starting point of our discussions at our second seminar. Created in 2008 and updated in 2010 by the coalition government, the NSS is an interesting development for UK security governance. It received a mixed reception from commentators. For example, Michael Clarke, director of the Royal United Services Institute, said in a 2010 briefing that the NSS was 'not really a strategy as such, but a methodology for a strategy'.[1] The methodology of the NSS is as important as the content because it raises the question of how governments perceive and articulate security and insecurity.

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[1] Preliminary RUSI Briefing: The National Security Strategy 2010, RUSI Analysis, 18 Oct 2010

The NSS document has two parts. The first repeats a familiar and uncontroversial narrative about the short-to-medium-term UK security outlook, beginning with the loss of Cold War certainties and moving quickly to a range of challenges arising from an increasingly uncertain and complex world. The second part presents the 'National Security Risk Assessment' methodology and a list of risks and threats arranged into three tiers. Similar to national and local 'risk registers' used in many OSCE countries, it plots risks and threats along axes of likelihood and impact. One effect of this is to place non-traditional risks such as flooding and flu pandemics alongside more traditional threats such as terrorism.

Risk assessment methodology has a long provenance. It is used extensively in engineering and the insurance industry from where it originates. Risk assessment methodologies are generally based on statistical incidence. With thousands or even millions of past events to analyse, it is straightforward to measure their likelihood and impact. Examples include the use of road accident data and the aggregate history of previous claims in car insurance.

In the security field, risk analysis it is used rather differently. Many of the risks and threats listed in the NSS have a very low statistical incidence, such as terrorists armed with chemical, radiological or biological weapons. This means that human judgment remains a fundamental part of national security risk assessment. This involves imagining uncertain futures, negotiating political and economic considerations, and balancing reassurance and heightened alertness in the public message conveyed. The identification of national risks and threats is not therefore a purely technical exercise, despite the impression the methodology may give at first glance.

This is important for the question of Scotland and security. The technical language of the White Paper does not fully develop the human dimension of risk and threat assessment. The independence negotiations, separation process, transition to security autonomy and yet-to-be-established international role and identity of Scotland present many uncertainties that would come into play.
The question is not simply what risks and threats an independent Scotland would face, but rather how its ministers, officials and experts would perceive and articulate those risks and threats in the context of separation from the UK and the renegotiation of existing international partnerships. We cannot simply apply national security risk assessment to Scotland to discern how its paticular risks and threats might differ from the UK as a whole. Risks and threats are, to an extent, in the eye of the beholder.

The White Paper says that from 'day one of independence' Scotland's security arrangements will be 'fit for purpose, and will be capable of 'appropriate responses to a range of identified threats and risks, including terrorism, cyber security threats and national emergencies' (p. 261-262). As we detailed in our

first report,[2] the current devolved Scottish Government has internationally-respected risk assessment and resilience planning capabilities tailored to Scottish circumstances such as the colder weather, less accessible geography and the concentration of critical infrastructure such as the Grangemouth refinery in the central belt region. However, if this devolved regional risk management were to be transformed into national security by Scottish independence we cannot assume that it would simply be a matter of the Scottish Government taking over a range of technical responsibilities from Whitehall.

The public and political articulation of risks and threats is a sensitive matter. Depending on political sensibilities, threats can be talked up, talked down or even constructed on the basis of fear and prejudice. For example, when UK ministers such as the Home Secretary or Defence Secretary have claimed that an independent Scotland would face heightened security threats without the protection of the UK, the SNP leadership have dismissed this as scaremongering.

There are many varieties of 'security politics', including a politics of projecting competence and reassurance rather than the politicisation of particular enemies or insecurities. The independence White Paper aims to project the former, but security is not that straightforward.

A single security and intelligence agency

The White Paper proposes a single integrated intelligence agency. Our participants considered this to be unusual and untried but not necessarily impracticable. Challenges could arise from bringing different technical competences and professional cultures under one roof, such as those relating to signals intelligence on the one hand and human intelligence on the other, although in many countries inter-service rivalry between separate services has presented its own historical challenges. There may also be questions raised by an overly narrow form of accountability if the head of this single agency reports to the same minister as Police Scotland (we will consider oversight issues in more detail at a future seminar).

A single integrated intelligence agency would of course be a change from the current UK arrangement of separate domestic (MI5), foreign (MI6) and signals (GCHQ) intelligence services. The proposal clarifies a previous uncertainty. Deputy First Minister Nicola Sturgeon had suggested to the House of Commons Foreign Affairs Committee (FAC) in January 2013 that an independent Scotland might create its own MI6-type foreign intelligence service. This suggestion has now been dropped, having drawn strong reactions from the FAC and former members of the intelligence community for its cost and impracticability for a small

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[2] [Assessing security governance in the UK and Scotland under current arrangements](#)

country. Baroness Meta Ramsay wrote in *The Scotsman* that few countries have the resources to run separate foreign intelligence agencies.[3]

An independent Scotland would have the resources of a small country and would no longer be comparable to the UK in many areas, including foreign intelligence. Other small states demonstrate that there are many ways to organise a country's security and intelligence services, with no particular model demonstrably better than the others. We will investigate this comparative angle in more detail at our next seminar on 6 May. Suffice it to say here that an independent Scotland would lose the foreign intelligence capabilities of the UK.

Intelligence sharing

The White Paper implies that any gap in foreign intelligence would be filled by intelligence sharing with the UK and (unspecified) international partners. This would have to be negotiated. It would depend on the willingness of those partners and cannot be taken for granted. Given how closely UK intelligence agencies work with their US counterparts, any future UK/Scotland intelligence sharing would raise 'control principle' issues. US intelligence shared with the UK could not be passed without consent to a third country, which an independent Scotland would become.

In the politicised pre-referendum environment, neither the UK nor other governments have offered a future willingness to share intelligence with an independent Scotland, either because it could be interpreted as giving support for independence or because the security policies and competences of a newly independent Scotland remain unknown. The current stated position of HM Government remains that 'An independent Scotland would not be able to share the UK's security and intelligence agencies.'[4] If this implies that Scotland would not be able to share UK intelligence at all, it would also imply that the UK would not expect Scotland to share intelligence with it either. This would leave a blind spot for the UK intelligence services in the northern third of the British Isles, unless intelligence were to be obtained there by clandestine means. Cooperation would be more practical and more politically palatable than this, so some kind of cooperation in the case of independence would seem inevitable. Nothing should be taken for granted, however.

Intelligence sharing negotiations in the event of independence would not start with a clean sheet. Existing internal UK intelligence 'sharing' is extensive and would be have to be ended or renegotiated. These issues could be overcome but not necessarily in the short 18 months proposed between referendum and independence day.

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[3] Meta Ramsay: Security service can take nothing for granted, The Scotsman, 17 February 2013.
[4] Scotland Analysis: Security, summary paper

'Joint working' and the transition to security independence

Many concerns about Scottish security relate to the transition to independence. There is little clarity on how the move from current UK security governance arrangements to Scottish security independence would work.

It would be in no country's interests for an independent Scotland to be immediately excluded from security cooperation. Scotland's neighbours would not want a newly independent neighbour to be left vulnerable in case it became a 'backdoor' for insecurities, and there may be particular vulnerabilities in the uncertain period immediately after independence. The UK government's 'Scotland Analysis: Security' paper acknowledges this point when it says: 'It is clearly in the UK's interests to be surrounded by secure and resilient neighbouring countries, including - in the event of a yes vote - an independent Scottish state.' (p. 5).

The White Paper talks of a 'seamless transition ensuring that the security of both countries is continuously maintained' (p. 262). No expert commentator we have spoken to believes that full Scottish security independence could be achieved between the 18 September 2014 referendum to the proposed independence day of 24 March 2016. Even discounting the possibility of a total lack of goodwill, the security governance transition would almost certainly take longer than 18 months.

The White Paper itself acknowledges that 18 months is not long enough to achieve security autonomy. It envisages an 'early period' of 'joint working' with the rest of the UK 'after independence' (p 262). This period of proposed 'joint working' cannot be taken for granted, despite the mutual interests and historical precedent of UK security assistance to former colonies. If, for example, the Trident/Faslane issue soured separation negotiations then security cooperation would become more difficult, especially given the importance of the transatlantic nuclear alliance and intelligence sharing relationship to UK national security doctrine.

Joint working would present serious practical and constitutional questions relating to democratic oversight, ministerial accountability and citizens' rights. In such a period, to whom would the UK security and intelligence services be accountable when working in Scotland or intercepting the communications of Scottish citizens? At present, under the 2000 Regulation of Investigatory Powers Act (RIPA), surveillance activities for the purpose of national security anywhere in the UK have to be approved by a UK minister. How would this work with two independent governments? Which ministers would provide authorisation and which sovereign parliament would hold them to account?

Nor is it clear when and how joint working would be ended. Given the landmass of Great Britain and its integrated critical infrastructure there will always be compelling practical reasons for close working, but there are about how the extensive technological reach of the continuing UK intelligence agencies would be tempered and balanced against the rights of Scottish citizens.

Post-territorial risks and threats

The security experts who spoke at our event echoed the familiar theme that the stable state-based territorial notions of threat and enmity that characterised the Cold War have been supplanted by a more complex world. Territorial adversaries no longer threaten western European states existentially. The deterritorialisation of risk and threat mean that the old Westphalian notion of sovereign state security is increasingly anachronistic. This is somewhat ironic in the context of a national independence debate.

Two examples of less predictable sources of threat are terrorism and cyber security. Western security and intelligence agencies are obviously very concerned with terrorism, although they are better equipped to deal with it than they were in the years after 9/11. They are less preoccupied by Al Qaeda as a singular organisation and more with looser militant affiliations and 'lone wolf' self-starters, particularly those who may be travelling to and from conflict zones such as Syria.

International travel has long been a focus of transnational security governance but despite the symbolism of physical border controls, virtual borders at a distance are increasingly superseding physical borders. These take the form of advanced screening of passenger data, visa databases, intelligence sharing and close cooperation between public agencies and private transport actors such as passenger carriers. This kind of security governance entails close alignment between the security systems of different countries and an increasingly limited scope for national differentiation. There is thus an ineluctable logic to the continuing integration of an independent Scotland with European and international standards on border and transport security.

Questions remain over Scottish membership of the EU, a common UK-Scotland travel area and a divergent Scottish immigration policy. These are unlikely to be settled in advance of the referendum for the same political reasons discussed above. However, close transport and border security integration with European and international partners along current lines seems inevitable.

There is a separate debate about whether passenger data sharing and visa databases represent infringements of liberties, privacy and human rights. And in

the UK (at least in England), symbolic rhetoric about borders is unlikely to go away. Scottish independence is unlikely to challenge either of these.

Cyber security and business strategy

UK cyber security has seen a substantial investment in recent years, rising from £650m pledged by the government in 2011 to £860m in 2013. This rise should not be simply interpreted as proportionate to a rise in the external cyber threat but rather as reflecting a shift in the concerns and priorities of ministers. The UK cyber security investment programme is associated with business and growth strategy. Its first objective is to make the UK 'one of the most secure places in the world to do business in cyberspace'.[5] This means not only that the activities and intellectual property of businesses are secured and made resilient, but also that individuals become more productive online economic citizens and a broad cyber-knowledge base is created that can be translated into the valuable international service economy.

Much of the cyber security investment has gone into educating and supporting public, private and third sector organisations to become more secure in their online activities. Scotland has received its share, which the Scottish Government has implemented enthusiastically. Much of this activity involves common sense changes to the online practices of business and individuals and the creation of trust in cyber security support relationships.

A significant proportion of the funding has gone into high-level technical capabilities at GCHQ and the Centre for the Protection of National Infrastructure (CPNI). These currently cover the whole of the UK. Assuming they are worth having, an independent Scotland would need to decide how to replace these or negotiate on-going access to their services. Change could create vulnerabilities. For example, gaps in national-level cyber security could be exploited for espionage, state-sponsored or otherwise.

Cyber security presents a post-territorial irony in the context of a national independence debate. Cyberspace is only partly territorial. While it consists of networks of material hardware that need to be secured, online services and online threats are virtualised and mobile. Cyber security experts say that the challenge is to detect, attribute and prevent online threats, not simply to respond to them. For example, it is still not clear exactly who perpetrated the 2007 cyber attack against Estonia that temporarily disabled many of its online government, banking and broadcasting services, despite the association of the event with Russian nationalist grievances and claimed links to Russian IP addresses.

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[5] The UK Cyber Security Strategy

States, especially small states, may find it difficult to influence the international IT corporations that provide increasingly critical services from overseas, such as cloud data storage. In light of the Snowden revelations, companies including Google and Microsoft appear to be in an ambivalent position regarding the data of foreign citizens and businesses and their relationship to US security agencies.

It is not necessarily that being small means being less secure in the online world, but rather that national cyber security independence is an oxymoron. An independent Scotland would have to make the best of its weaker position in cyber security *interdependence*. Scotland may not necessarily end up less safe as such, but it would become more dependent on the UK and EU for support. Given the emphasis placed by the White Paper on making Scotland more business-friendly in order to boost jobs and the economy, the biggest cyber security problem for Scotland may be that it could not promote a comparative cyber security advantage to attract foreign investment as the UK is currently doing, nor generate income from that sector.

Safety in being small?

Conventional defence matters are beyond the scope of this report, but elements of the White Paper's chapter on 'International Relations and Defence' are significant for the question of Scotland's broader national security. The White Paper envisages a nuclear weapons-free Scotland and a 'triple lock' of constitutional guarantees before Scotland's military could be deployed abroad. This appears designed to differentiate Scotland from UK foreign policy and could possibly reduce Scotland's vulnerability to terrorism. The relationship between a country's foreign policy and its international and domestic exposure to threat remains contentious, but it is something that the intelligence services have taken seriously (for example, former GCHQ director Sir David Omand told the Home Affairs Select Committee on 11 February 2014 that Joint Intelligence Committee reports 'had indeed made clear that the consequence of intervention in Iraq would be an increase in radicalisation domestically'[6]).

An independent Scotland would have a lower international profile and there is probably some safety in being small. If these facets of Scottish independence came to pass, it could well be the case that Scotland became less associated with the kind of UK foreign policy and interventionism that have arguably fostered militant grievances. We must not assume that small countries are immune from terrorism. But the examples of the Utøya massacre in Norway or the murder of Theo van Gogh in the Netherlands are unique events not trends; they should pose no special concern for an independent Scotland with a modern police service.

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[6] http://www.publications.parliament.uk/pa/cm201314/cmselect/cmhaff/uc231-vii/uc23101.htm

Safety in being Scottish?

Despite the international popularity of the Scottish image that is packaged for tourists, there are two points for caution here.

First, despite the apparent break from UK foreign policy, the independent Scotland proposed would not follow the old Irish model of neutrality. The White Paper proposes an internationalist foreign policy, an active role in international alliances and a bigger regional maritime role. The combination of increased Arctic resource extraction due to climate change, more international shipping using the Northeast passage, a more internationally-activist Russia and an increased Scottish maritime presence do not necessarily make for a quiet life.

Second, we should not assume that the domestic or foreign sense of grievance that can lead to political violence follows a simple rational actor model. Even if Scotland's international role were to change, those determined to build a narrative of grievance could conceivably manipulate Scotland's military history and certain aspects of Scots culture into an anti-Scottish narrative.

Broader and longer-term security considerations

The NSS represents a widening of the meaning of security and looks at short-to-medium term risk and threats. The final part of our seminar looked at even wider and longer term sources of insecurity for Scotland, which are by their nature more speculative. Some trends to consider include environmental security, economic security and societal security, but not simply in national terms alone. Insecurities and perceptions of insecurity may arise within subsections of society such as those directly affected by climate change (e.g. more frequent extreme weather events) or alienated by economic or social changes (e.g. loss of industries, demographic changes, increasing inequality).

In environmental terms, Scotland may become a net beneficiary of climate change. Its landscape is not prone to wide-scale flooding, it is relatively rich in natural resources, and although Scottish oil and gas supplies will ultimately decline, it has the potential to be a world leader in renewable energy. Climate change may yet pose unforeseen challenges and unimagined disruptions to national security.

Economic inequality is increasing around the world and the UK is no exception. Successive reports from international institutions have raised concerns over the impact of the inequalities generated by the implementation of neoliberal economic policies.[7] Inequality may be a source of internal as well as external

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[7] European Commission (1993) *Background Report: Social Exclusion– Poverty and Other Social Problems in the European Community*, ISEC/B11/93; European Commission (1997) *First Report*

insecurity. For example, the US, Brazil and China have all seen not only an increase in their economically marginalised populations but also an increasingly fearful (and in the latter cases growing) middle class. The most equal societies may also be the least violent (although there are definitional and measurement difficulties with this claim).

The Scottish White Paper makes a commitment to reducing inequality, which could help an independent Scotland mitigate some of these challenges, but this is to assume that a small nation state has the power to withstand global trends. This may also be a contradictory aspiration given that the White Paper is simultaneously committed to a neoliberal economic model of increasing business competitiveness and reducing corporation tax.

Whether these extended issues are matters of national security rather than the battle of political ideas is moot. The further one stretches the meaning of security and the horizon of time, the more it is that different policy areas, including security, start to blur into each other.

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on Economics and Social Cohesion, Luxembourg: Office for Official Publications of the European Communities; OECD (1997) *Societal Cohesion and the Globalizing Economy: What does the Future Hold?* Paris: OECD; OECD (2006) *Competitive Cities in the Global Economy*, Paris: OECD; UN (2000) "Institutional response to globalization", report prepared by the Secretariat for the Group of Experts on the United Nations Programme in Public Administration and Finance at its Fifteenth Meeting, ST/SG/AC.6/L.6.