

Inquiry into the Scottish Government’s international work
Evidence from the Scottish Council of Jewish Communities

The Scottish Council of Jewish Communities (SCoJeC) is the representative body of all the Jewish communities in Scotland. SCoJeC advances public understanding about the Jewish religion, culture and community, by providing information and assistance to educational, health, and welfare organisations, representing the Jewish community in Scotland to Government and other statutory and official bodies, and liaising with Ministers, MSPs, Churches, Trades Unions, and others on matters affecting the Jewish community. SCoJeC also provides a support network for the smaller communities and for individuals and families who live outwith any Jewish community or are not connected with any Jewish communities, and assists organisations within the Scottish Jewish community to comply with various regulatory requirements. SCoJeC also promotes dialogue and understanding between the Jewish community and other communities in Scotland, and works in partnership with other organisations and stakeholders to promote equality, good relations, and understanding among community groups.

In preparing this response we have consulted widely among members of the Scottish Jewish community, and this response reflects the views of all branches of Judaism that have communities in Scotland.

Introduction

The remit of the Scottish Council of Jewish Communities does not include international affairs, and, in particular, it is not our remit to lobby for any particular view on the Middle East, not least because Jewish people in Scotland hold as wide a variety of views about current Israeli politics as do non-Jewish people, and it is not difficult to find Jewish supporters of all positions in Israeli politics. The impact of Scottish responses to international affairs on the Jewish community in Scotland is, however, our remit, and it is frequently the case that these cause increased fears and feelings of anxiety among people who, in many cases, already feel vulnerable.

It is well-documented that statements, comment, and media-reporting about the Middle East, especially during times of tension such as the recent Gaza conflict, result in an increase of antisemitic incidents in Scotland and elsewhere. And there is clear evidence that “Israel” and “Jewish” are often conflated or even used interchangeably, so that what purports to be criticism of Israel actually attacks Jewish people, and becomes explicit antisemitism.

During the recent Gaza conflict, for example, a student at Strathclyde University was threatened by a fellow student who knew she was Jewish on the assumption that she was Zionist and supportive of Israel. He said "Unless you side with Palestine and are anti-Zionist then it is right that someone threatens your life", and added that he knows where she lives and that he could break into her house.

The Scottish Government has adopted the internationally recognised IHRA definition of antisemitism, and the First Minister has, on many occasions, unequivocally condemned antisemitism. This definition states explicitly that criticism of Israel similar to that leveled against any other country, and of any particular Israeli government, is entirely legitimate, but applying double standards by criticising Israel but not other countries for similar behaviour is listed as one of the examples of antisemitism in public life.

The Scottish Government has, however, singled out Israel by issuing procurement advice that “strongly discourages trade with illegal settlements in the Occupied Palestinian Territories”¹. The continued validity of this advice, issued in 2014, was re-affirmed only last month by the Minister for Business, Trade, Tourism and Enterprise in his answer to a parliamentary question². No procurement advice has been issued relating to Cyprus, Tibet, Kashmir, or to any other occupied or disputed territory. In fact, the only country about which the Scottish Government has issued any procurement advice is Israel.

Although outwith the scope of this Inquiry, it is worth noting that this distinction is also evident in the Scottish Parliament where, during the whole of Session 5 (2016–21), more motions were submitted about Israel than about any other country. There were 113 motions relating to Israel during this period. Only 13 of the other 97 countries that were the subject of parliamentary motions even reached double figures – after Israel, the USA came second with only 35 motions, Turkey third with 30, and Spain fourth with 27. The level of disproportion is breathtaking.

This particularity makes many in the Scottish Jewish community, a significant majority of whom have family and friends in Israel, feel very vulnerable. In addition, two recent academic studies into the attitudes of Jewish people in Britain have found that Israel is part of the Jewish identity of the vast majority of British Jews. The Institute for Jewish Policy Research found³ that for 82% of the respondents, Israel plays an ‘important’ role in their Jewish identities, 76% feel that Israel is relevant to their day-to-day lives in Britain. More recently, a report⁴ by City University found that 93% of respondents said that Israel forms some part of their identity as Jews, 90% supported its right to exist as a Jewish state, and 84% expressed pride in its cultural and scientific achievements.

Antisemitism is not just physical violence or verbal abuse against Jews. It is treating Jews differently – not just individuals, but collectives too. So when the Jewish state is uniquely singled out for criticism and boycott although acting no differently from other states, then that is as much antisemitism as the desecration of a synagogue.

It is a cause for concern to the Jewish Community that this disproportion on behalf of the Scottish Government and Parliament may indirectly encourage antisemitism from those who conflate the local Jewish community with the State of Israel, especially as there is strong evidence that the situation has worsened since the Scottish Council of Jewish Communities carried out an inquiry during 2012-13, funded by the Scottish Government, into the experience of *Being Jewish in Scotland*. The findings⁵ provided a comprehensive overview of what Jewish people in Scotland were thinking, feeling, and experiencing, and provided evidence that many Scottish people failed to make any differentiation between local Jewish people and the actions of the State of Israel. Despite this, however, the overall

¹ Scottish Procurement Policy Note 4/2014 (August 2014)

<https://www.webarchive.org.uk/wayback/archive/20160106214501/http://www.gov.scot/Topics/Governme nt/Procurement/policy/SPPNSSPANS/policy-notes/SPPN2014/SPPN42014>

² Scottish Parliament written answer S6W-03000 (September 2021)

<https://www.parliament.scot/chamber-and-committees/written-questions-and-answers/question?ref=S6W-03000>

³ Committed, concerned and conciliatory: The attitudes of Jews in Britain towards Israel (July 2010)

<https://jpr.org.uk/documents/Committed,%20concerned%20and%20conciliatory:%20The%20attitudes%20of%20Jews%20in%20Britain%20towards%20Israel.pdf>

⁴ The Attitudes of British Jews Towards Israel (Department of Sociology School of Arts and Social Sciences City University London, November 2015)

https://www.city.ac.uk/__data/assets/pdf_file/0008/295361/Israel-Report-FINAL.PDF

⁵ Being Jewish in Scotland (Scottish Council of Jewish Communities, September 2013)

<https://scojec.org/resources/files/bjis.pdf>

conclusion was that, to quote one of the respondents, *“I do count myself incredibly lucky to be Scottish and Jewish. I wouldn’t change either if I had to be born again.”*

Just two years later, however, during 2014-15 when we undertook a second inquiry, again funded by the Scottish Government, into *What’s Changed About Being Jewish in Scotland*⁶ the situation had changed significantly, and the same respondent told us that, as a result of recent experiences, she *“no longer feels Scottish”*. She was far from alone, and four out of five respondents told us that responses to events in the Middle East had negatively affected how they are treated as Jews in Scotland, and like her, had *“seriously talked about an exit strategy for leaving Scotland.”*

We are, furthermore, aware that some Jewish people have recently taken up nationality of another European country, not so that the resulting continuation of freedom of movement will facilitate a wider choice higher education, employment opportunities, etc, but to keep open an escape route should antisemitism worsen still further. To quote one person who has done so, *“My father had to leave his country [to escape the Nazis], and I was raised in the expectation that the time might come when I might have to leave this one. Never lock yourself in a basement with no fire exit.”*

And in early 2020, when we undertook a further inquiry (as yet unpublished), the findings showed a further decline in wellbeing. Despite the already worsening situation, in 2015 only 1.4% of respondents told us that they never talked to non-Jewish people about being Jewish or demonstrated their Jewishness in other ways, but by 2020 this figure had increased to 34.8%.

Incidents of targeting Jewish people in Scotland explicitly on account of dislike of the state of Israel included a supplier ending a business relationship when he discovered that the owner was Jewish, and a young person who was subjected to a rant demonising the state of Israel by a clinician during what should have been a mental health appointment. Furthermore, respondents who show solidarity with the Palestinian cause, told us that they feel under pressure to declare this to people aware that they are Jewish in order to protect themselves from the kind of stereotyping noted above.

In May of this year, when the conflict in Gaza resulted in a huge spike in antisemitic incidents across the UK⁷, the then Secretary of State for Ministry of Housing, Communities and Local Government was explicit in the UK Parliament that *“British Jews are not responsible for the actions of a Government thousands of miles away, but are made to feel as if they are. They see their friends post social media content that glorifies Hamas — an illegal terrorist organisation, whose charter calls for every Jew in the world to be killed.”*⁸ By contrast, the First Minister issued a statement⁹ that framed the Middle East conflict in religious terms, and, by referencing her close relationship with Scottish Muslims, and pleasure in visiting mosques across Scotland, actively imported the conflict into Scotland. Only three months later, when the latest tensions were already past their peak, did she say at a closed meeting that she had reflected deeply on the issues raised in Scotland as a

⁶ What’s Changed About Being Jewish in Scotland (Scottish Council of Jewish Communities, July 2016)
<https://www.scojec.org/resources/files/bjis2.pdf>

⁷ The Month of Hate (Community Security Trust, July 2021)
https://cst.org.uk/public/data/file/4/a/The_Month_of_Hate.pdf

⁸ <https://hansard.parliament.uk/commons/2021-05-17/debates/F3016C6F-117C-4328-9793-B88CD763BA41/AntisemiticAttacks#contribution-C5EAE1AD-73BC-46E8-9B41-21E992F4FCA4>

⁹ <https://www.facebook.com/SNPFOP/posts/2885085675074892>

consequence of the conflict in the Middle East, and affirmed her assurance that nothing at home or abroad can justify antisemitism or religious hatred of any kind¹⁰.

It is incumbent on the Scottish Government to take note of this worsening situation, and of the increased vulnerability of Jewish people in Scotland – not only feelings of vulnerability but vulnerability in fact, as evidenced above – not only in developing equality and community safety strategies, but also in the way in which they engage – and are perceived to be engaging – internationally.

1. How should the Scottish Government engage with the EU and what should it seek to achieve from its engagement?

The primary focus of Scottish Government engagement with the EU and other countries and groupings of countries, should be on maintaining and increasing the wellbeing of individuals and communities in Scotland. In September 2021 the European Commission against Racism and Intolerance (ECRI) issued a new General Policy Recommendation on Preventing and Combating Antisemitism¹¹. The EU also submitted evidence¹² to the UN Office of the High Commissioner for Human Rights April 2021 “Report on Countering Islamophobia/Anti-Muslim Hatred”¹³. In addition, the EU has appointed two Co-ordinators on Combatting Antisemitism, and Combatting Anti-Muslim Hatred. In March 2019 the European Parliament adopted a resolution on the fundamental rights of people of African descent¹⁴. The Scottish Government should actively engage with initiatives such as these that could improve the security and wellbeing of communities in Scotland.

2. How might the EU-UK TCA affect how the Scottish Government engages with the EU and how will that engagement interact with UK government policy in this area?

We do not wish to comment on this question.

3. What role should the Scottish Parliament have in scrutinising the operation of the TCA and how the TCA influences the Scottish government’s engagement with the EU?

We do not wish to comment on this question.

¹⁰ Meeting with the First Minister
https://scojec.org/news/2021/21viii_fm/fm.html

¹¹ The European Commission against Racism and Intolerance (ECRI) issues a new General Policy Recommendation to the 47 Council of Europe member states (September 2021)
<https://www.coe.int/en/web/european-commission-against-racism-and-intolerance/-/the-european-commission-against-racism-and-intolerance-ecri-issues-a-new-general-policy-recommendation-to-the-47-council-of-europe-member-states>

¹² EU contribution to the report of the Special Rapporteur on freedom of religion or belief (December 2020)
<https://www.ohchr.org/Documents/Issues/Religion/Islamophobia-AntiMuslim/Regional%20Institutions/EuropeanUnion.pdf>

¹³ Countering Islamophobia/anti-Muslim hatred to eliminate discrimination and intolerance based on religion or belief: Report of the Special Rapporteur on freedom of religion or belief, Ahmed Shaheed (April 2021)
https://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session46/Documents/A_HRC_46_30.docx

¹⁴ European Parliament resolution on fundamental rights of people of African descent in Europe (March 2019)
https://www.europarl.europa.eu/doceo/document/TA-8-2019-0239_EN.html

4. What should the priorities of the Scottish Government be in developing its external affairs work and overseas presence, including its international development policy?

The Scottish Government has developed an International Framework that is intended to contribute to “*building a stronger, fairer and more prosperous Scotland*”¹⁵ and “*influence the world around us on the issues that matter most in helping Scotland flourish*”¹⁶. Consequently, its strategy should be judged not only by the extent to which it has enabled Scotland to flourish on the international stage, but also by its impact in Scotland.

Immigration

Many people in the Scottish Jewish community are first or second generation migrants or refugees, who fled, or whose family fled, the Holocaust or the Pogroms¹⁷. Many Jewish families became dispersed as people frantically searched for any country that would receive them, with the result that majority of Jewish people in Scotland have international connections, not only in Israel but world-wide.

Jewish communities and communal organisations have been eager to offer support to migrants, refugees, and oppressed minorities; it is a moral imperative in our religion, and it is felt as a personal responsibility. Most recently, the Jewish community, in common with many other people, has mobilised to provide support to Afghan people fleeing the Taliban¹⁸, and to condemn the persecution of the Uyghur people¹⁹.

Aspects of the UK Government’s immigration policy cause particular difficulties for the Jewish and other faith communities; for example, a couple getting married are not able to invite a Rabbi from another country to officiate at the ceremony even if the Rabbi happens to be a relative, or is the Minister of the synagogue regularly attended by one of the couple.

Until December 2018 a couple could invite someone from overseas to officiate at their wedding with minimal bureaucracy and cost as and the Rabbi would qualify for a “Tier 5 Temporary Religious Workers Visa”. However the new “Temporary Work – Religious Worker Visa” only permits non-pastoral activities. Immigration Rules stipulate that “a Minister of Religion must apply on the T2 Minister of Religion route if their engagement in the UK involves leading a congregation in performing rites [and] rituals”²⁰, even if that is only to officiate at a single wedding. The requirements for a T2 Minister of Religion Visa include an application fee of £610, passing an approved English language test, and proof of savings of at least £1,270 for 28 days – requirements that are irrelevant and

¹⁵ Scottish Government: International Relations Policy [undated]
<https://www.gov.scot/policies/international-relations/>

¹⁶ Scotland’s International Framework (December 2017)
<https://www.gov.scot/publications/scotlands-international-framework-9781788514033/>

¹⁷ The murderous antisemitic attacks on Jews in the Russian Empire, in particular the anti-Jewish riots that took place between 1880 and 1920 in parts of what is now Poland and the Ukraine.

¹⁸ Scottish Parliament Motion S6M-01367 “Incredible Interfaith Community Efforts to Support Afghan Refugees Arriving in Scotland” (September 2021)
<https://www.parliament.scot/chamber-and-committees/votes-and-motions/votes-and-motions-search/S6M-01367>

¹⁹ Yet Again – What’s happening with the Uyghurs? (June 2021)
https://www.scojec.org/news/2021/21vi_uyghurs/uyghurs.html

²⁰ Immigration Rules Appendix Temporary Work – Religious Worker
<https://www.gov.uk/guidance/immigration-rules/immigration-rules-appendix-t5-temporary-worker-religious-worker>

disproportionate for someone visiting this country solely to officiate at a single brief ceremony²¹.

Local Authorities

Civic authorities should act firmly to ensure that people from all communities are able to go about their business without antisemitic or other racist intimidation. Regrettably, however, the fact that several Local Authorities have passed motions supporting a boycott of Israeli goods (which they could not in fact implement as it would be unlawful), and to fly Palestinian flags “in solidarity with Gaza” has in fact sent exactly the opposite message, since “solidarity with Gaza” implies opposition to Israel’s right to defend itself against Hamas, an organisation that includes in its constitution a call to murder all Jews anywhere in the world.

The UK Government has publicly stated that Councils south of the border were “misjudging their remit”²² in purporting to ban Israeli-manufactured products and flying the Palestinian flag. By contrast, the Scottish Government recently stated to the Public Petitions Committee that while “*The Scottish Government does not advocate a policy of boycotting Israel ... we do not wish to mandate how Scottish public institutions, organisations or individuals approach this issue. We would, therefore, strongly encourage the UK Government to develop their legislation in a manner which restricts the scope of application, and respects the autonomy of Scottish institutions in making decisions on this issue.*”²³

Since, as already stated, Israel forms such a large part of the identity of Jewish people, attacks on Israel are an attack on their identity as Jews, and have contributed to an atmosphere in which Jewish people feel more insecure and obliged to hide their identity. Thus the unhelpful Scottish Government procurement advice, and Scottish Government’s permissiveness towards Local Authorities that actively promote boycotts of Israeli goods, referred to above, have contributed to this atmosphere of vulnerability and alienation, in which, despite all that Ministers have said about condemning antisemitism, and despite the adoption of the IHRA definition, antisemitism has been enabled to flourish in Scotland.

Studying in Scotland

As already mentioned, we have received reports from university and college students in Scotland, where antisemitic incidents and online abuse, in some cases from social media ‘friends’, that frequently blame individual Jewish people for Israeli government policy, and sometimes go so far as to ‘advise’ the recipient to “*Go and gas yourself!*”, have created an atmosphere in which some students do not feel safe to reveal their Jewish identity.

Because many of these instances have involved foreign students, their experience naturally becomes a matter of comment in their home countries, with the result that during the last few years, both we and Jewish Student Chaplaincy Scotland have observed a marked change in the questions asked by prospective students and their parents and

²¹ There is no other obstacle to an overseas Rabbi officiating at a marriage ceremony since National Records of Scotland has a long-standing procedure for confirming the bona fides of Ministers from outwith Scotland, and providing them with temporary authorisation to sign the relevant documents so that the religious ceremony also creates a civil marriage.

²² Government Action on Antisemitism (Department for Communities and Local Government, 2014) https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/390904/Government_Action_on_Antisemitism_final_24_Dec.pdf

²³ Scottish Government submission concerning PE01803: Right to Boycott, Divestment and Sanctions (BDS) (August 2020) http://external.parliament.scot/S5_PublicPetitionsCommittee/Submissions%202020/PE1803_A.pdf

academic advisors. Whereas previously we were only asked about access to Jewish facilities such as the availability of kosher food and proximity to the nearest synagogue, we are now regularly asked about the level of antisemitism and whether it is safe for Jewish students to live and study in Scotland.

This runs counter to the aspirations expressed in Scotland's International Framework²⁴ that *"Our ... educational ... strengths are globally recognised, supporting our positive international reputation"*, that *"We will use our overseas presence to promote and celebrate our ... education ... to build the Scottish brand ... inward visitors and investment in Scotland."*, and that *"We will continue to invest in and promote our universities, helping them to build educational links and research collaborations across the globe."*

In order to achieve those aspirations, Scottish Government policies should ensure that Jewish students at Scottish universities and colleges, whether from Scotland or overseas, are enabled to feel safe on campus whatever may be happening in the Middle East or elsewhere.

5. Does the Scottish Government's budget for external affairs deliver value for money?

We do not wish to comment on this question.

6. Please elaborate. What principles should inform the Scottish Government's international engagement (e.g. economic, democratic, human rights, climate change or cultural / 'soft power' priorities)?

The main principle that should inform the Scottish Government's international engagement, is maintaining and increasing the wellbeing, security, and confidence of individuals and communities in Scotland.

7. And should that engagement be based on geographical or policy focus? Please elaborate.

The Scottish Government's international engagement should, first and foremost, be based on a policy of enabling all people and communities in Scotland to go about their daily lives without feeling vulnerable to verbal or physical attack on account of their identity (or any other reason).

8. How do the Scottish Government's EU and international policies interact with UK foreign and diplomatic policy in these areas?

Although foreign affairs are reserved to Westminster, Scottish Government policy views international engagement as an opportunity *"To create an environment within Scotland that supports a better understanding of international opportunities and a greater appetite and ability to seize them; and To influence the world around us on the issues that matter most in helping Scotland flourish."*²⁵ Ideally the work of the two governments should complement one another, each enabling the other to operate effectively in the international sphere. Too often, however, there have been mutual sniping and criticism that undermine effective

²⁴ Scotland's International Framework (December 2017)
<https://www.gov.scot/publications/scotlands-international-framework-9781788514033/>

²⁵ Scottish Government: International Relations Policy [undated]
<https://www.gov.scot/policies/international-relations/>

policy. The SNP response²⁶ to the UK Government Integrated Review of Security, Defence, Development and Foreign Policy, for example, states that “*The devolved administrations have unique foreign policy interests that are not adequately served by the UK FCDO.*” and demands “*unfettered and unconditional access to diplomatic and consular services, including use of embassy buildings and resources for the advancement of their legislative agendas. This must be by right and not subject to concession or negotiation.*”

A similar attitude is shown in responses such as the curt answer to a recent UK parliamentary question²⁷ that “*Border Security is a reserved matter. Consequently, discussions on this subject have not taken place with the devolved administrations, and there are no plans to do so.*”

Dogmatic statements such as these are unhelpful both to overall strategy and to the communities in Scotland and elsewhere in the UK that both governments serve. It is in no-one’s interests for the Scottish and UK Governments to be at loggerheads, and while legitimate difference of opinion and debate may help to clarify best policy, claims of “right” on the one hand, and refusals to discuss on the other, can only lead to less-than-best policy, confusion, and reduced feelings of confidence and security for the diverse communities both north and south of the border.

Conclusion

Because the increasing diversity of the Scottish population means that other countries have a footprint in Scotland through people who originate from, or have family or other connections across the world, the Scottish Government’s international work, based on its International Framework, has implications not only for Scotland’s relations and engagement abroad, but also for community relations in Scotland. We therefore urge the Scottish Government and its public sector partners to be aware of the unintended consequences that may arise out of their strategy and statements about foreign affairs, and to exercise the utmost responsibility, taking into account not only the content of statements, but also the language and tone in which these are presented, and the consistent application of the principles on which they are based.

²⁶ SNP Submission to the Integrated Review (November 2020)

<https://www.stewartmcdonald.scot/files/snp-submission-to-the-integrated-review-november-2020.pdf>

²⁷ UK Parliament written answer HL2631 (September 2021)

<https://questions-statements.parliament.uk/written-questions/detail/2021-09-10/hl2631>