

Racial harassment in higher education

Response 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 including, amongst others, Jewish students studying at post-16 education bodies in Scotland, and Jewish Student Chaplaincy Scotland, which provides support to students studying at post-16 education bodies throughout Scotland.

Higher education bodies should not only be concerned with academic advancement but also with the well-being of those who study, teach, and carry out research in such institutions. We are concerned that, in practice, the current system does not always facilitate a fair hearing for students, many of whom are living away from home, and therefore from their established support network, for the first time, and who may, therefore, be more than usually vulnerable. This is particularly an issue for students who may have been discriminated against or victimised, on account of a protected characteristic.

A senior Jewish academic who participated in our 2013 *Being Jewish in Scotland* inquiry¹ told us, for example, of having had to intervene to support a medical student

¹ *Being Jewish in Scotland* (Scottish Council of Jewish Communities, 2013)
<http://www.scojec.org/resources/files/bjis.pdf>

who had been told in so many words by his professor to choose between his intended profession and his religion. The professor, who happened to be a vice-principal, then asked, “*why should the university give a dispensation from our rules; why can’t you give one from yours?*,” and when the Jewish academic explained that Judaism has no provision for dispensations, he was told, “*Well you should!*” (which, he further commented, is simply meta-discrimination: instead of “you should behave like me” we have “your religion should behave like mine”).

Another student at a different medical school told us she was “*being hounded for taking off Jewish holidays, and refusing to sit exams on Friday evening*” (the Jewish Sabbath) and was “*repeatedly summoned for dressing-down from professors, the dean, and the head of the school. Others who were off (including Muslims) were advised not to fill in absence form but just to ‘be ill,’ and were not subjected to the same harassment.*” In a caricature of equality legislation, she was told by the Dean that “*because this is a secular university, we don’t need to take any account of students’ religion*”, and by another professor, whose class she missed on Friday afternoons (during the winter the Sabbath begins around 3.30pm), and who was also on the admissions committee, that she was “*not doing your people any favours as we’ll think twice about taking anyone with a Jewish name in future.*”

It is evident that for some students the situation has not improved; a student who participated our more recent *What’s Changed about Being Jewish in Scotland*² inquiry told us: “*As a student having a university that refuses to reschedule my exams around Jewish holidays and Shabbat (the Jewish Sabbath), I was told by my university that either I sit exams on Shabbat or I fail, period.*”

In another disturbing case, a student who was repeatedly the target of antisemitic jibes from fellow students, both face-to-face and on social media, told us that she no longer went to the Business School or library, and was worried about attending a class workshop “*due to fear of being harassed or attacked*” (in fact, she uses the word “fear” no less than five times in her report of the situation). Although the university did consider her formal complaint, its procedures were so drawn out that she was further disadvantaged by not feeling able to attend classes or informal group activities, and eventually abandoned her course, with life-changing consequences for her.

In addition, we have evidence that the manner in which some academic and research staff have expressed views about the situation in the Middle East has contributed to both Jewish and Israeli students feeling compelled to deny or hide their Jewish identity at the very time in their lives when they should have the freedom to explore it.

The issue is not that some academic and research staff hold views about the situation in the Middle East with which students disagree; that is their right. Nor is it simply that they have expressed those views in public; that is also their right. What concerns us greatly is the manner in which some staff have done so, for example, by publicly

² *What’s Changed about Being Jewish in Scotland* (Scottish Council of Jewish Communities, 2016) <https://www.scojec.org/resources/files/bjis2.pdf>

campaigning against research collaborations with Israeli academic institutions, to deny visiting Israeli academics a platform, and even actively demonstrating against Jewish Student Society meetings relating to Israel, with a view to disrupting them and ultimately preventing them taking place, with the result that students are prevented from being able to examine the issue and express their own views. One very recent example, albeit not in Scotland, is of a member of academic-related staff at the University of Essex who has been suspended for opposing the establishment of a Jewish Student Society, writing on Facebook, “the Zionists next want to create a society here at our university!”. He was later found also to have shared antisemitic, conspiracy theory, and Holocaust denying posts³.

In another worrying example, a postgraduate student told us that “*grading is absolutely not objective when writing about the state of Israel or anything Jewish related.*” She gave the example of what happened when she presented a “*fairly left wing paper about Israel and the US and their use of nationalist rhetoric to justify the war on terror*”; her tutor did not give this an academic critique, but only made comments such as “*Israel should not be called Israel but Palestine*”, and that Hamas should not have been referred to as “*a terrorist group*”, despite the fact that it is formally designated as such by the UK Government. The student believed that her academic freedom to investigate a particular point of view had been denied, and that she had been penalised because of her tutor’s political views.

We also have information that such harrassment is not limited to students, and some academic and research staff may also feel intimidated by aggressive demonstrations or abusive rhetoric whether by students or their academic peers. For example, one member of academic staff told us “*Epecially in Dundee, the academic community is influential and academic life is very badly polluted by anti Israeli feeling. ... I’ve been described by a fellow academic as being “suspiciously knowledgeable about Judaism”*”.

It is troubling that, when the Jewish Student Chaplaincy Scotland, has intervned with the support of the Scottish Council of Jewish Communities to assist Jewish students who find themselves subject to such abuse, our concerns have **often** been dismissed by senior university staff who appear not to recognise that there have been failures in the institution’s compliance with the Equality Act 2010 and the Scottish Code of Good Higher Education Governance, as well as the “Prevent Duty Guidance for Scotland”.

There does, however, recently appear to have been some improvement in the way some institutions are now responding to complaints of antisemitism. In the current academic year, for example, Jewish Student Chaplaincy Scotland were contacted by one institution which had hitherto been the source of several complaints asking for advice in relation to an incident that had caused a student to withdraw from a one-year Masters programme after only one term. The student in question had complained about a “wildly offensive” and “blatantly anti-Semitic design” that had been produced

³ <https://www.theguardian.com/education/2019/feb/22/university-of-essex-suspends-lecturer-accused-of-antisemitism>

by a fellow student, which had been published on the programme's public Tumblr blog and "extravagantly praised to the entire enrolment" by a member of staff. Following advice from the Jewish Student Chaplaincy which included a detailed explanation of why the image was indeed antisemitic, the image was removed from the internet, and an apology was issued to the former student.

We are very conscious that students are particularly vulnerable in that their entire future may be affected by the treatment they receive from a single member of staff during a single course, especially since their membership of a particular institution may be as brief as one term. It also has to be stated that such legal protections as exist may be entirely theoretical and of no practical assistance to the victims, since they are unlikely to have the resources for protracted legal action, so that there is an incentive for the institution to extend proceedings until the problem literally goes away, as has happened in several of the cases referred to above.

We are also conscious that changing procedures for the future, or disciplining staff after the event, does not assist the victim whose life has been ruined, and we therefore favour not only a statutory code including provisions for penalties on a scale that might concentrate the minds of institutions and their leaders, but also the creation of a swift, cheap, and accessible way of enforcing it.