



# BRISMES

British Society for Middle Eastern Studies

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## **The Abuse of Risk Assessments to Curtail Academic Freedom, Freedom of Expression and Freedom of Assembly**

Over the past year, BRISMES has observed a troubling trend: health and safety regulations, originally designed to protect workers from injury or illness and established as fundamental rights through decades of union campaigning,<sup>1</sup> are now being misused to restrict academic freedom, freedom of expression and freedom of assembly in higher education institutions across Europe, North America and Australia. According to BRISMES's analysis, many universities have cynically manipulated safety risk assessments—and more broadly, the notion of risk—as tools of political repression against pro-Palestinian speech and activism, in violation of fundamental rights to freedom of expression and freedom of assembly.

[Movie screenings](#), [literary festivals](#), [cooking workshops](#), [panels](#), [talks](#), [bake sales](#), and even [classes](#) have been cancelled or subjected to restrictions under the guise of 'safety concerns'. Reactions towards student encampments were even harsher, because the 'threat' they posed was cast as even greater. Universities have typically mobilised at least one of the following major charges against events and encampments: a) that they risk creating an antisemitic environment, and/or b) that they constitute physical hazards for students and staff, and, hence, that they present a security threat to members of the university. In some cases, there appears to be a racialised dimension to these assessments of risk, with staff and students of colour, particularly Muslims, being disproportionately cast as a risk or deemed threatening. In this regard, the Prevent programme is also being used as a framework to scrutinize, surveil and restrict pro-Palestine events and activities on campuses.

Universities have an obligation to ensure the safety of all students and staff, including Jewish students and staff, while they are on campus. Moreover, BRISMES believes that actual threats to safety should be dealt with in a timely and transparent manner in line with university policies.<sup>2</sup> Yet, the accusation that events discussing Israel-Palestine and the encampments—most of which had Jewish students among their ranks—create an unsafe environment for Jewish students and staff is based on two false connotations: between 'feeling uncomfortable' and 'being unsafe'; and between individual Jews and the State of Israel.

Events where criticism of Israel for acts of genocide, apartheid, settler colonialism, and racism, and for the perpetration of war crimes and crimes against humanity, may make students and staff who support Israel feel uncomfortable. Discomfort, however, is not a valid reason for silencing speech or curtailing the freedom of expression and freedom of assembly of students and staff. In fact, discomfort often fosters intellectual growth, creative thought, reflection and debate.

Because discomfort cannot be used as grounds for a complaint, it has been reframed as a safety issue, whilst critiques of Zionism and Israel are labelled as antisemitic. The claim that criticism of Israel is antisemitic is based on the

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<sup>1</sup> The International Labour Organisation adopted the [Occupational Safety and Health Convention](#) in 1981, the European Union introduced the 1989 [Framework Directives](#), while the UK passed the [Health & Safety Work Act](#) already in 1974 (see [here](#) for international health and safety legislation).

<sup>2</sup> Aside from a couple of disturbing incidents that involved antisemitic statements, which were quickly addressed by universities, and indeed by the encampments themselves through their internal anti-racism policies, the encampments were peaceful sites of learning and debate, where students formulated political demands aligned not only with their vision of social justice but also with the decolonising mission to which many students in the humanities and social sciences had been exposed in their classrooms.



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second false conflation between individual Jews and Israel, which many Western universities have endorsed after adopting the IHRA working definition of antisemitism.<sup>3</sup> Once this false conflation is accepted by university administrators, any harsh criticism of Israel and its human rights abuses can be cast as antisemitic, providing a justification for clamping down on pro-Palestinian speech and activities. Meanwhile, the conflation between individual Jews and Israel distracts universities from tackling real cases of antisemitism. BRISMES calls on universities to reject these false conflations if they are genuinely concerned with antisemitism, academic freedom, freedom of speech and freedom of assembly.

In addition to charges of antisemitism, university administrators have claimed that encampments pose physical hazards, citing issues such as restricted access to toilets, rocks used to anchor tents, and fire hazards. While some of these issues might involve real risks, they are typically the kinds of risks that universities encounter and regularly resolve in their daily operations. As [recently](#) noted by the United Nations Special Rapporteur on the Rights of Freedom of Peaceful Assembly and of Association, the ‘disruption of daily activities’ cannot be considered an act of violence under international standards and cannot justify violations of students’ rights to peaceful assembly.

The key point is that risks are not objective conditions but rather socially constructed and defined through discourse. For example, managers at the University of Oxford [framed](#) the encampment’s tents as a risk to university property and activities, but the decision to cast the tents as a risk was subjective, reflecting, as it were, the interests of university administrators. Notions of risk change over time and from one geographical location to another, mirroring political interests and social relations of power. BRISMES has, for instance, received reports that some universities ignored incidents in which students participating in the encampments were physically harmed by others, including fellow students, outside agitators and the police. Apparently, universities did not consider such incidents as constituting a risk, revealing how safety is being manipulated and mobilised not necessarily to reduce threats to security, but to quash conversations and debates about genocide, and how universities, as institutions, should respond to genocide.

We accordingly call on universities to abide by their legal obligations to uphold freedom of expression, academic freedom and freedom of assembly. Universities should immediately cease to stigmatise pro-Palestine events and activism as a threat to safety and security on campus, and as part of this process should revoke the IHRA definition of antisemitism. Concurrently, universities should actively facilitate peaceful protest and open discussion within the law for all groups on campus. University administrators should review policies to ensure that they are in line with international human rights and employment standards and ensure that they do not create a climate of fear and self-censorship, particularly for their most vulnerable members. Any expressions of antisemitism and other forms of racism on campus should be investigated and addressed in line with university policies. There should be no presumption of antisemitism on the basis that events are critical of Israel’s policies and actions.

*BRISMES Committee on Academic Freedom*  
21 October 2024

To read previous letters and statements from BRISMES CAF, please visit:  
[Committee on Academic Freedom](#)

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<sup>3</sup> See BRISMES and ELSC, ‘The Effects of the IHRA Definition of Antisemitism on Academic Freedom’, September 2023, available online at <https://tinyurl.com/3493tk2d>.