

Academic freedom has become a defining issue in the geostrategic competition between liberal democracies and authoritarian regimes worldwide. It is also at the center of the authoritarian populist challenge to liberal democracy in free societies. To grasp how these two dimensions interconnect, I look in detail at Viktor Orbán's Hungary, since his rule demonstrates how one nominally democratic regime has targeted academic freedom at home, while seeking partnerships with authoritarian regimes abroad. Academic freedom is at stake in these geostrategic conflicts because it is more than a professional privilege enjoyed by tenured faculty. It's a sustaining pillar of democracy, one of the checks and balances of a democratic system, and it entitles tenured members of a university community to write and teach without interference from governments, university administrators, colleagues, or public opinion. This freedom also comes with obligations to subscribe to the standards of academic excellence and to tolerate, if not respect, divergent opinion in academic exchange and in the classroom.¹ The freedom of individual academics depends, in turn, on the capacity of universities to set academic priorities free of interference from government or corporate interests.

Academic freedom and democratic freedom depend on each other. When democracy's checks and balances are respected, when the rule of law is upheld,

when elected officials respect the autonomy of the institutions of a liberal democratic state, university autonomy is respected too. Where these wider democratic guarantees are challenged, universities find themselves vulnerable to political attack. In a time of “democratic recession,” academic freedom has come under extraordinary pressure from authoritarians abroad and authoritarian populists at home.²

Globalization brings Western academic freedom face to face with the academic cultures of authoritarian states. Universities from these opposing systems are linked in global networks through which students, faculty, research partnerships, and corporate relationships flow.³ While universities have been transnational institutions since the Middle Ages, after the Cold War, they have transformed themselves from provincial institutions training local elites into global institutions recruiting international talent.

Unlike the totalitarian regimes of the 1930s or the Communist tyrannies of the Cold War, authoritarian regimes in the twenty-first century know that if their academic institutions have any chance at excellence or innovative research, they must be free to engage with leading universities in democratic societies. Authoritarian regimes and single-party states like Singapore, for example, have built world-class universities.⁴ China has invested in academic excellence too. As Chinese universities ascend the global rankings, their leadership knows that the universities of free societies continue to set the standard for achievement.⁵ The Chinese government allows its universities to exchange with competitors and permits their students to study abroad, reckoning that international exchange does not threaten regime control. Russia has taken a different course: allowing universities to languish to prevent them from breeding challenges to Vladimir Putin’s rule.⁶

Since the end of the Cold War, Western universities have expanded ambitiously into authoritarian territory in the Middle East, the former Soviet Union, Vietnam, and China. Through the campuses they have established there, these universities’ leaders believe they can reconcile academic freedom with the restraints imposed by their host countries. NYU Abu Dhabi, for example, claims that its courses critically analyze the political systems of the Gulf State oligarchies.⁷ NYU Shanghai tries to maintain an intellectually open environment in a host country that restricts access to the internet. The Schwarzman Scholars who study at Tsinghua University in Beijing are nominally free to write critically about the Chinese Communist Party or Chinese institutions, but putting these freedoms into practice has been difficult.⁸

Academic institutions from authoritarian societies that have expanded into the democratic West likewise claim that they respect the canons of academic freedom. The Confucius Institutes that China has established on campuses across the world claim they are independent institutions. Yet the leaders of some Western countries disagree and have taken steps to send them home.⁹ During the Cold

War, the Soviet Union and China were scarcely integrated into the global economy, and the rare student exchanges between Eastern and Western countries were highly supervised. Nowadays, Chinese students are a rising segment at American, British, Canadian, and Australian universities. Western institutions that depend on income from Chinese students must allow criticism of authoritarian regimes in their classrooms, without alienating the authoritarian governments that allow

versity trains citizens for life while protecting ideas and their authors from the tyranny of the majority. To that end, the university is the custodian of the knowledge democratic societies use to make their decisions. But the university also protects those who criticize the prevailing shibboleths of the tribe.¹⁹ These two vocations— custodian and critic— are in tension, and the tensions can explode when academic institutions position themselves as public spaces for debating what counts as knowledge. While university leadership would like to see their institutions as civil referees in these debates, they cannot avoid being dragged into partisan controversies. And just as in competitive sports, when the university tries to referee knowledge debates, it is inevitable that the players will complain about the referee.

Universities can't pretend to be neutral arbiters of their societies' divisions. Administrators, faculty, and students can't stand apart from the racial, gender, and class conflicts that divide their societies. Since they are bound to associate personally with social identities and their related social-justice claims, the skeptical detachment that should characterize academic discussion often falls by the wayside. Furthermore, when universities are attacked by political actors on the outside, those inside begin defining themselves as defenders of truth, rather than as neutral arbiters of social debates. Instead of standing up as guardians of genuine pluralism in democratic dialogues, universities retreat into becoming covens of enforced moral consensus.

Academic institutions have been drawn into the center of democratic struggles over justice because their training and research functions, as well as their adjudicative role in cultural debates, give them unprecedented cultural power. University research, assisted by massive amounts of state funding and corporate investment, has become a key incubator for innovation in society at large.²⁰ Oxford University's partnership with AstraZeneca— which took vaccines developed through ac

Universities have power, but their role in “platforming” or “deplatforming” speakers and opinions exposes them to political attack.²³ They also do themselves no favors when students and faculty defend truth claims as if they were identity claims, and identity claims as if they were truth claims— or when, as a result, academics come to care more about winning ideological arguments than advancing scholarship. Academic freedom can be destroyed from within for the same reason that democracy can, when those who benefit from its freedoms can’t be counted on to put its welfare ahead of their own ambitions. Universities are also contested

profitable avenues. These latter aims do not always square with a university's commitment to research agendas free from external control.

Unless resisted by strong university leadership, these converging pressures—from populist governments, private corporations, and globalized intellectual trends—can end up distorting a university's fundamental purpose. Universities exist to teach people to think for themselves, in order to become autonomous individuals and responsible citizens. If this is the ultimate rationale for academic freedom, democratic universities too often are failing to live up to their own ideals. Moreover, the pressures that corporations, governments, and societies exert on the university make it difficult for faculty, students, and administrators to retain control of university learning and research. As a result, when liberal democracies defend the academic freedom of their institutions against their authoritarian competitors, it is questionable whether their universities are as free as they claim.

This is the geostrategic context in which academic freedom needs to be understood, as a context in which authoritarian and democratic societies constantly interact, with students, researchers, and teachers moving between two competing systems. On the authoritarian side, universities seek to maintain just enough academic freedom to permit innovation and learning, without allowing so much freedom that it jeopardizes their regimes. On the democratic side, universities struggle to maintain their autonomy in an increasingly polarized struggle, between liberals and conservatives, for power and cultural influence in democratic societies. In this context, the democratic university's challenge is to remain open to students from authoritarian states, and to welcome research collaborations with institutes in such states, without allowing its norms of freedom to be compromised by the democratic tumult at its doors.

Having laid out a framework for understanding the relationship between universities in authoritarian and democratic societies, I want to focus on the challenge posed by authoritarian populist governments to academic freedom in nominally democratic societies. Prime Minister Narendra Modi's India, President Recep Tayyip Erdoğan's Turkey, and many Republican legislators in the United States have made universities and their freedoms a central target of their policies. I will concentrate attention, however, on Prime Minister Viktor Orbán's Hungary. In his own region, Polish, Czech, Slovak, Serbian, and Slovenian governments have copied some elements of his program of authoritarian consolidation. But as one of the longest authoritarian populists in power (since 2010), Orbán's influence extends worldwide.

This populist turn in Eastern Europe, exemplified by Orbán, is an unexpected outcome of the collapse of its Communist regimes between 1989 and 1991. Eastern Europe set out on a path to democracy, crafting free constitutions to meet the accession criteria for membership in the European Union (EU). Besides separation

of powers, democratic elections, rule of law, privatization of state industries, and media pluralism, these accession criteria included constitutional guarantees for freedom of teaching and research. The Hungarian constitution, for instance, contains explicit guarantees of academic freedom.²⁵

Yet once accepted into the European Union, authoritarian populist leaders—such as Orbán in Hungary, Prime Minister Robert Fico in Slovakia, former President Václav Klaus in the Czech Republic, and former President Lech Kaczyński in Poland—have turned the tables on the accession process. Instead of converging toward Western European norms, they have used democratic victories to weaken counter-majoritarian institutions, reward loyalists with state assets, demonize and neutralize the opposition, and consolidate single-party rule.²⁶ No one has traveled further down this road than Orbán. Since winning a majority in the parliamentary elections of 2010, and three electoral victories since then, he has pioneered a form of authoritarian rule he calls “illiberal democracy.”²⁷ In this configuration, a single party wins a roughly free election. Upon taking power, it uses democratic institutions to weaken democracy by gerrymandering the electoral system, demonizing the opposition, and destroying the independence of the civil service. The Orbán regime and other authoritarian rulers who have followed his path have rewritten the constitution to muzzle the judiciary; changed the rules of the free press to ensure the sector is dominated by media companies owned by executives close to the regime; and, finally, eliminated the constitutionally guaranteed autonomy of universities, along with the individual freedom of their teachers and students.²⁸

In early 2017, Orbán achieved this latter aim by setting out to evict the last fully independent university remaining in Hungary: the U.S. accredited Central European University (CEU) in Budapest. The private research university was founded in 1991 by Hungarian American financier George Soros and a small group of dissident Eastern European intellectuals. By the 2010s, it had established a reputation as the best graduate university in the social sciences and humanities in Hungary, and one of the better schools of its type in Europe. Central European University was a refuge for critical Budapest intellectuals, but the university never ventured into politics or challenged the prevailing regime. Nevertheless, in March 2017, the Orbán regime introduced a bill into parliament requiring all private universities from non-EU states, with programs in Hungary, to secure a government permit to operate. No such university would be allowed to function in Hungary if it did not run a campus in its homeland. By excluding European institutions from the ban, the law neatly avoided censure in the European Union. This exclusion also meant that it was tailored to apply to CEU, since it was the only institution in Hungary without a domestic campus in its home country (the United States).

The law, soon known as “lex CEU,” was rubber-stamped by a legislature in which Orbán had a two-thirds majority. Faced with direct attack from the government, CEU discovered that it had no right of appeal. Orbán and his allies had already stripped

the courts, presidency, media, and parliament of their independence. The constitutionality of *lex CEU* was confirmed by a president appointed by the prime minister, and when CEU sought to appeal the decision, the Curia (that is, the Supreme Court of Hungary) ruled that the court had no jurisdiction. In May 2017, eighty thousand people assembled before the Hungarian Parliament in the largest political demonstration in Budapest since 1989. The crowd chanted, *szabadság, egyetemesség!* (“Free country! Free university!”).²⁹ The regime ignored them. It successfully rendered an accredited academic institution illegal in a European Union member state. This was the most serious attack on academic freedom in Europe since the expulsion of German and Italian antifascist academics in the 1930s.

European politicians universally condemned Orbán’s attack on CEU, but rhetoric was not backed by effective pressure like suspending Hungary’s structural subsidies from the European Union. The failure of these leaders to act laid bare certain core realities about the European Union— notably, that it is an association of sovereign states committed to defending their own prerogatives, especially for education. The European Commission did appeal *lex*

Middle States Commission on Higher Education. Soros was a major donor for the U.S. Democratic Party, so attacking him helped Orbán win support among U.S. Republicans, including then-President Donald Trump. When Trump was elected in 2016, two generations of bipartisan support for U.S. higher education overseas unraveled. His administration's U.S. higher education policy missed the mark. Do not support U.S. higher education.



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