

**In Defence of Academic Freedom.
Safeguarding the Principles of Democracy:
On *Academic Freedom: The Global Challenge*,
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Prompted primarily by a very specific situation, the decision of Viktor Orbán's government to put an end to the operations of Central European University in Hungary in 2018, *Academic Freedom: The Global Challenge* developed into an ambitious project aimed at offering insight into the status quo of higher education across cultural frontiers with a focus on the multiple threats posed to academic freedom. Reuniting researchers from a variety of fields and cultural spaces, whose connection with CEU is more or less openly acknowledged, the volume is intended as one providing 'thoughtful historical analysis of the origins of the ideal of academic freedom; eloquent testimony from the front lines of the battle to defend the academy as a free space for controversial thought; as well as analysis of how university autonomy and self-government are endangered by hostile political forces around the world' (Ignatieff, 1).

Academic Freedom: The Global Challenge is organized in three main parts, 'The Threat Without: State Practices and Barriers to Academic Freedom around the World', 'The Threat Within: The Struggle for and against Academic Freedom within U.S. Universities' and 'Taking Account of Academic Freedom in Hungary', all stemming from the serious concerns of university staff and administrators across the world about the future of education, of higher education, in particular, and, ultimately, the future of democracy. Quite heterogeneous in approach, the articles included in the three parts build, however, into a coherent whole mainly due to the two introductory articles that set the conceptual and contextual framework of the volume, those of Joan Wallach Scott and Michael Ignatieff, and to the concluding one, of Mario Vargas Llosa, the famous Peruvian writer and the 2010 winner of the Nobel Prize in Literature, whose humanistic breadth helps us see academic freedom as just one facet of freedom in a 'tangled world' (Llosa, 141). The homogeneity of the volume also results from the contributors' shared ideas and exchange of views, on the one hand, and, quite alarmingly for the readers, experienced problems, on the other.

In his overview article, Ignatieff, who is the Rector of CEU, sets the issue of academic freedom in a global context, from China and Russia, through Turkey and Hungary to the US. His clearly stated anxiety is that '[t]he deeper problem is an erosion of the connection between academic freedom and the freedom of all citizens' (8). He

seems to be agreeing with Salman Rushdie in whose opinion '[t]he freedoms of art and the intellect are closely related to the general freedoms of society as a whole.'¹

Joan Wallach Scott furthers Ignatieff's argument and specifically explores the tensioned 'relationships between the university and the state' (11). She identifies two tensions at work, one 'between *raison* and *raison d'état*', '[t]he second [...] between the hierarchical structure of the academy and the principles and practices of political democracies' (11).

Scott enquires into the history of the relationships between universities and the nation state, which offers her the opportunity to address academic freedom in the contemporary context, for which a better applicable model is, according to Edward Said whose 'Identity, Authority, and Freedom' she extensively quotes from, that of 'the migrant and traveller' (16). Central to the university's mission is the development of critical thinking. For Scott 'democracy depends on the university even if the university is not itself a perfect democracy' (20).

The first part of the volume reunites scholars whose interest, and concern, is academic freedom, but who also have an international experience of higher education, across diverse cultural frontiers.

Liviu Matei takes Joan Wallach Scott's ideas further and offers an in-depth analysis of the relationship between academic freedom and the state with focus on the distinction between academic freedom and university autonomy. The starting point of Matei's argument is that 'institutional autonomy is a precondition for academic freedom' (29). As Provost and Pro-Rector of Central European University, whose situation is under attack in Hungary, Liviu Matei considers it appropriate to investigate this distinction furthermore, so that he could identify the real source of the threats. From his point of view, the events in Hungary should not be necessarily seen as a menace to academic freedom, but rather one to institutional autonomy.

Matei presents a thought-provoking point of view: that academic freedom and university autonomy are variables, in the sense that, depending on the quality of the relationship with the government, they can be exercised within certain limits. Matei supports his position by providing examples from China, Russia, or Singapore.

The conclusion he draws is that, although often tensioned, the relationship between the university and the state is an indispensable one. The university needs the state, while the state has 'the responsibility [...] to protect the university, to ensure its autonomy and also the conditions for its academic freedom' (37). Referring to the situation of CEU, '[o]nly the state can ensure autonomy, not civil society, or other non-state actors, including international actors' (37).

Nirmala Rao's viewpoint is underlain by the sensitive, even critical, position she holds as Vice Chancellor of the Asian University for Women, Chittagong, Bangladesh. Being neither a public nor a private, but rather an international university, the Asian

¹ Salman Rushdie, 'Step Across This Line: The Tanner Lectures on Human Values, Yale, 2002,' in Salman Rushdie, *Step Across This Line: Collected Non-Fiction 1992-2002* (London: Vintage, 2002), 442. Let us consider that Salman Rushdie himself, a British novelist and essayist of Indian descent, very well-known for mixing Magical Realism with historical fiction in his *Midnight's Children* (1981), is also the creator of *The Satanic Verses* (1988), central to which is 'the rivalry between artistic freedom and religious authority in the modern world.' (Arthur Bradley, and Andrew Tate, *The New Atheist Novel: Fiction, Philosophy and Polemic After 9/11* (London and New York: Continuum, 2010), 83). After *The Satanic Verses* was published, a *fatwā* was issued by Ayatollah Khomeini, leader of the Islamic Republic of Iran, calling for Rushdie's assassination. Rushdie speaks about his life, always trying to hide from possible murderers, in his novel *Joseph Anton: A Memoir* (2012).

University for Women is in a paradoxical situation. It ‘enjoys immense academic autonomy’ (41), which is given mainly by its international status, although it finds itself under threat as it operates in a political context which is more and more restrictive. She writes: ‘[A]cademic freedom in both India and Bangladesh is increasingly under threat and the crisis includes academics being subject to severe sanctions including suspension, firing, imprisonment and even violence.’ (41)

Rao’s argument includes a comparison between the situation in Bangladesh and that in the United Kingdom where she identifies equally dangerous threats to academic freedom. Financing higher education allows the state to intrude into the academy and, even if this does not necessarily presuppose violence, it most likely dictates the ‘what’ and ‘how’ of teaching and research. In Bangladesh matters become even more complicated because of the cultural and religious norms which prevail in the centralized design of the curricula.

Rao’s wake-up call is that ‘academic freedom cannot operate in the medieval mode of gated communities’ and ‘[a]cademic freedom and tolerance need to be cultivated as public and civic virtues’ (48).

Helga Nowotny investigates the issue of academic freedom in universities in continental Europe. One of Nowotny’s major concerns is the rise of nationalism and populism in the contemporary context, which she sees as serious threats to academic freedom. Her article is an answer to a question she asks as a person familiar with the continental model from her experience as former President of the European Research Council – ‘What is upsetting nowadays in continental European universities?’ (50).

Although the hierarchical model seems to have been put an end to, there still are upsetting pressures that European universities are exposed to right now. Among the most upsetting Nowotny identifies are ‘the pressure inside universities to cope with limited resources’ (52) and the failure of universities to keep up ‘with the way ethnic diversity has become part of European societies today’ (54).

The case of Turkey is brought to the fore and given consideration by Ayşe Kadioğlu. Professor at Sabancı University of Istanbul, thus a member of the Turkish higher education system, Kadioğlu states from the very beginning that, after the attempt of coup d’état in 2016, which was not the first in the history of Turkey, ‘academic freedoms eroded in an unprecedented magnitude’ (55). The state of emergency was a good enough justification for purges of academics in Turkish universities. Academic freedom has been ever since under siege as intellectuals started to fear and ‘[t]he predominant feeling among them is one of frustration and desperation’ (57).

The first part is concluded by the contribution of Catharine R. Stimpson whose attempt is to offer a view from both sides of the East-West divide. Her experience in Abu Dhabi gives her the opportunity to invite to an unbiased consideration of the higher education situation in the Gulf States, beyond the stereotypes at work in the Western world.

For Stimpson, two theories are of use to make academic freedom active across cultural borders – the classical theory of academic freedom and the modern theories of human rights (73). Academic freedom is about becoming ‘aware of the realities of visions, of faiths, of aesthetic worlds, of cognitive dissonance, of the malleability of ideas and information, of passions, and of appetites’ (73-4).

The second part deals with the threat to academic freedom within US universities from the perspective of four American academics, out of whom three have

direct experience of CEU whose destiny in Hungary ignited the debates on academic freedom that created the premise for this volume.

For Jonathan R. Cole, it is impossible to conceive the idea of a university in the absence of academic freedom. Central to any university are two fundamental values, which also trigger threats both from within and without, ‘trust, and academic freedom and free inquiry’ (77).

By considering the history of attacks against the academic freedom in the American context, Cole can conclude that nowadays ‘attacks [...] are coming from inside universities rather than from external authority’ (81), and one such attack is represented by the ‘many students [who] are beginning to question the foundation of free inquiry and academic freedom at universities’ (81).

Cole refers to two documents whose relevance for the academic freedom in the US he acknowledges. According to the Stone Committee Report ‘[...] it is not the proper role of the University to attempt to shield individuals from ideas and opinions they find unwelcome, disagreeable, or even deeply offensive’ (83). This is better understood if correlated with the 1967 Kalven Committee Report which states that ‘[t]he neutrality of the university as an institution arises then not from a lack of courage nor out of indifference and insensitivity. It arises out of respect for free inquiry and the obligation to cherish diversity of viewpoints.’ (82)

Allison Stanger draws on her experience at Middlebury College and, particularly, on her intellectual and emotional involvement with and response to the Middlebury incident,² which gives her the opportunity to realize that ‘[e]ven the freest of free societies is unfree at the edge, where things and people go out and other people and things come in; where only the right things and people must go in and out.’³

Rogers Brubaker continues along the same line of argument and, by reference to similar incidents at Yale or Evergreen State College in Washington, concludes that ‘[t]he goal of creating a more inclusive and egalitarian learning environment is a noble and important one. But pursuing this goal by policing speech and protecting feelings strikes me as misguided and dangerous [...]’ (98). A university is expected to encourage critical thinking in diversity, rather than ‘to produce docile subjects who will speak in institutionally correct ways’ (99).

Free speech, free expression as essential to academic freedom form the core of Leon Botstein’s contribution. The author introduces one more threat in the palimpsest that the volume represents – technology, which he holds responsible for the disappearance of attitudes and values of extreme importance for successful communication and unprejudiced behaviour in an academic environment: ‘forgetting and forgiving, both indispensable acts in a civilized world’ (106) and tolerance and acceptance of difference.

² In 2017, the American Enterprise scholar Charles Murray was invited to Middlebury College to speak about his 2012 book *Coming Apart*, ‘which explores polarization in the United States and pretty much foresaw the election of Donald Trump’ (Stanger, 87). Professor Stanger was asked to moderate the talk. Although it was hardly predictable in a well-established academic environment, Murray’s presence on campus caused an outburst of rage, which degenerated into violence. The reaction was fuelled by a book Charles Murray had co-authored with Richard J. Herrnstein in 1994, *The Bell Curve. Intelligence and Class Structure in the US*. Many of the Middlebury students and staff disagreed with Murray’s controversial views related to race, but what was appalling and what represents a real threat to academic freedom, and, even more dangerously, to the very principles of democracy is that they rejected, without giving it the slightest consideration, the very idea of free speech and free exchange of ideas.

³ Rushdie, 412.

The last part is exclusively devoted to the situation in Hungary. A brief history of Central European University (CEU) is needed here. CEU is a private research university, accredited in Austria, Hungary and the United States of America, which was founded in 1991 by philanthropist George Soros and which offers scholarships to scholars from the Social Sciences and the Humanities, including politicians and academics. Its very foundation in Central Europe is connected to the history of this region, whose states were all behind the Iron Curtain for a long time, and part of the socialist bloc before 1989. Ranked as “a flagship of academic quality and freedom in Hungary” (Chikán, 121), on 3 December 2018 it was forced to leave the country and move to Vienna by LEX CEU, a law that is the result of the battle between Viktor Orbán’s government, which won its third consecutive term in April 2018, and free academics who were among the harshest critics of his regime. This form of unprecedented censorship in the history of the European Union has resulted in international uproar, protests as well as several publications, one of them being Michael Ignatieff and Stefan Roch’s edited book analysed here. On 3 December 2018, the date of closing CEU in Budapest, its rector, Michael Ignatieff declared for *The Guardian*: ‘This is a dark day for freedom in Hungary, and it’s a dark day for academic freedom.’⁴ Another contributor to the book, Liviu Matei, as previously mentioned CEU’s Provost, stated: ‘A line has been crossed. People are being forced out of the country. This is not restriction any more, this is repression. In Hungary, the reign of repression has been started.’⁵ In 2019, CEU moved to Vienna.⁶ As recent as 6 October 2020, the European Court of Justice ruled that LEX CEU and ‘the conditions introduced by Hungary to enable foreign higher education institutions to carry out their activities in its territory are incompatible with EU law.’⁷ In the following period we will see whether sanctions against Hungary will be taken by the European Union, although George Soros himself already asserts that the decision comes too late: ‘The ruling by the European Court of Justice that Hungary is in violation of European law is a victory for the fundamental values of the European Union. The decision comes too late for CEU. We cannot return to Hungary because its prevailing laws don’t meet the requirements of academic freedom. The Hungarian government continues to trample EU law, with the latest victim being the world-renowned University of Theatre and Arts (SZFE). The EU is currently debating how to ensure that its funds are used in accordance with the rule-of-law. I call on the EU to make Hungary a test case.’⁸

⁴ See Michael Ignatieff’s declaration in Shaun Walker, “‘Dark Day for Freedom:’ Soros-Affiliated University Quits Hungary”, *The Guardian*, 3 December 2018; available at: <https://www.theguardian.com/world/2018/dec/03/dark-day-freedom-george-soros-affiliated-central-european-university-quits-hungary> [accessed 7 October 2020].

⁵ See Liviu Matei’s declaration in Walker.

⁶ See CEU news: ‘CEU Vienna: Official Inauguration Marks a “Momentous Day” for the University’, 17 November 2019; available at <https://www.ceu.edu/article/2019-11-17/ceu-vienna-official-inauguration-marks-momentous-day-university> [accessed 7 October 2020]. The latest news on the opening of the new semester in October 2020 at Vienna, with the visit of the Austrian Federal Minister of Education, Science and Research Heinz Fassmann at CEU is available at <https://www.ceu.edu/article/2020-10-02/federal-minister-fassmann-officially-opens-austrian-semester-ceu> [accessed 7 October].

⁷ See Press Release no. 66/ 2020 of Court of Justice of the European Union, Judgment in Case C-66/18 Commission v Hungary, Luxembourg, 6 October 2020; available at <https://curia.europa.eu/jcms/upload/docs/application/pdf/2020-10/cp200125en.pdf> [accessed 10 October 2020].

⁸ See George Soros’s declaration in Edit Inotai, ‘Legal Victory for Central European University Is Too Little, Too Late’, *Balkan Insight*, 6 October 2020; available at:

With this history in mind, I return to the contributions to the last part of *Academic Freedom* which analyse the Hungarian higher education context from a variety of points of view, all, however, converging towards the idea that academic freedom is under threat mainly because of the ‘tendency of centralization in higher education’ and the ‘appearance of political and ideological influence’ (Chikán, 114).

Attila Chikán, Professor Emeritus at Corvinus University, Budapest and a Member of the CEU Board of Trustees, István Kenesei, Professor Emeritus of Linguistics at the University of Szeged, Katalin Tausz, Professor at the Department of Social Policy at ELTE University, Budapest, Valéria Csépe, President of the Hungarian Higher Education Accreditation Committee, and László Vass, President of the Private Institutions Section at the Hungarian Rectors’ Conference and Rector of Budapest Metropolitan University, approach the problem of academic freedom from the standpoint of practitioners of education in the contemporary Hungarian context addressing relevant issues related to legal framework, financing, teaching, research, evaluation, in both public and private universities. They carry out their analysis by resorting either to historical information or harsh statistical figures, which could be a sign of a very insidious, fear-generating, intrusion of the political in the academia. However, the situation of CEU is, implicitly or explicitly, the focus of their articles. All the five Hungarian contributors to the last section of the volume voice their worries, more or less openly, that the attack against CEU is an attack against academic freedom and, even more dangerously, a real threat to the principles of democracy. They are concerned about the fact that ‘Hungary has declined on nearly all measures of university autonomy in Europe’ (Tausz, 131), that the Rectors’ Conference’s reaction was just an ‘inept objection over Lex CEU, complaining only for their universities possibly not receiving sufficient numbers of foreign students in consequence’ (Kenesei, 127) or that ‘the government did not move closer towards the demands of education in the 21st century [as m]any rules and laws are in fact pointing towards the opposite direction’ (Chikán, 121).

All the contributors seem to be pointing to the fact that ‘[t]he way the government handled this attack on CEU is a model of its well-functioning strategy and communication campaign based on fear-mongering and disinformation, [...] such attacks [being] usually camouflaged as legal procedures masking the government’s real intention to manipulate the rule of law. One should also note the presence of the jolly-joker element: the demonisation of philanthropist George Soros, founder of CEU, and his depiction as the evil force behind all attempts to render Hungary vulnerable.’⁹

Mario Vargas Llosa’s concluding article inspiringly rounds off the multi-faceted views of academic freedom included in the volume. Through the lens of the humanist, academic freedom is regarded as closely connected to the general freedoms of individuals and societies. Academic freedom is a prerequisite for universities to fulfil their main role, that of developing critical thinking.

The writer optimistically sees the contemporary world as one in which, once the ‘the worst enemies of democratic culture and of democratic society – racism, fascism, and communism – have been defeated’ (142), democracy, hence academic freedom, can

<https://balkaninsight.com/2020/10/06/legal-victory-for-central-european-university-is-too-little-too-late/> [accessed 7 October 2020].

⁹ The Green Political Foundation, ‘Orbán vs. the World: The Background Context of the Lex CEU’; available at <https://www.boell.de/en/2017/05/03/orban-vs-world-background-context-lex-ceu> [accessed 9 October 2020].

reign supreme. Unfortunately, the articles in this volume provide evidence to the contrary, because, as Llosa remarks himself, '[t]he enemies of democracy are now within democracies themselves: populism and nationalism' as 'reactions to globalization' (143). I would add that the enemies of democracy are many more as long as stereotypes, prejudice, ethnocentrism are still attitudes of this world. As I asserted in my *Travelling across Cultures*, '[t]hat is why we consider it of extreme importance, even urgency, for individuals and communities to become aware of both the chances given and the threats inflicted by the global system to be able to perform appropriately at and across cultural borders.'¹⁰

In the humanistic tone, which is the prevailing one of the volume, today's university should be designed very much like the one modernist Virginia Woolf imagined in the aftermath of World War I and little before War World II, a university prepared to train the good citizen, which 'does not only mean to be a law-abiding citizen, cultivated and alert, with a culture that does not allow oneself to be manipulated by the powers of this world, [but one who] has a critical spirit' (Llosa, 142). Woolf envisaged an ideal university which 'should teach the arts of human intercourse; the arts of understanding other people's lives and minds [...]. The aim of the new college [...] should not be to segregate and specialize, but to combine. It should explore the ways in which mind and body can be made to co-operate; discover what new combinations make good wholes in human life.'¹¹ It should contribute to 'the creation of a culture of freedom' (Llosa, 145). It is the task of humanities, which have been under constant attack lately even in the well-established democracies, to 'uphold [...] a culture of freedom' (Llosa, 147), stand against authoritarianism, make cultural borders permeable and turn diversity into an asset of the global environment.

I would like to conclude that, given the most recent events that have dangerously affected the contemporary world, threatening the very foundations of democracy, from Belarus and Turkey, through Hungary, to France, Great Britain, the U.S. or elsewhere, *Academic Freedom: The Global Challenge* represents a very valuable resource as it offers the model of a cultural place of encounter. It invites to reflection both within and outside the academia on the future of education, but, more importantly, on the future of democracy. It is a wake-up call for all those concerned about 'the world where to'.

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¹¹ Virginia Woolf, 'Three Guineas', in *A Room of One's Own/Three Guineas* (London: Penguin Books, 2000 [1929]), 155.

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