

# The Geopolitics of Academic Freedom : Universities, Democracy & the Authoritarian Challenge

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*This essay examines why academic freedom has become a defining issue in the geostrategic competition between liberal democracies and their authoritarian challengers. The growing strategic rivalry between the United States and China is threatening to disrupt, even destroy, academic interchange between liberal and authoritarian societies. At the same time, populist right-wing leaders in Western democracies are attacking university autonomy, as part of a strategy of authoritarian consolidation. Hungary's prime minister Viktor Orbán has pursued an authoritarian takeover of his country's higher-education system while seeking new partnerships with Chinese institutions. Through this essay, I seek to explain why academic freedom faces unprecedented challenges, both within liberal democracies and from authoritarian competitors.*

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.<sup>1</sup> 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.<sup>2</sup>

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.<sup>3</sup> 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.<sup>4</sup> 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.<sup>5</sup> 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.<sup>6</sup>

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.<sup>7</sup> 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.<sup>8</sup>

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.<sup>9</sup> 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 their revenue streams to flow.<sup>10</sup> Similarly, authoritarian governments must allow their students to study abroad while ensuring they don't return with democratic aspirations.<sup>11</sup> They do so by keeping their students under surveillance overseas. This exerts a chilling effect on what these students feel free to say in class.<sup>12</sup> Russia and China are not the only culprits, however. An Egyptian student attending a European university, who posted critiques of President Abdel Fattah el-Sisi's regime on Facebook, found himself arrested upon his return to Cairo, and jailed for two years.<sup>13</sup>

China and the United States are strategic competitors, but they still seek to maintain interactions between their respective university systems. In the words of U.S. National Security Advisor Jake Sullivan, the United States seeks to achieve this equilibrium through a policy known as "small yard, high fence." That is, the United States will fence off a small number of sensitive technologies and research areas, prohibit Chinese companies and researchers from participating in these areas, and leave most technological and intellectual fields open for business and academic exchange.<sup>14</sup> This is the theory. In practice, as strategic competition between the United States and China intensifies, academic freedom is likely to become a casualty, with a resulting loss of understanding and contact between two of the leading university systems in the world.<sup>15</sup>

**T**he competition between authoritarian regimes and liberal democracies is both geostrategic and ideological. In this contest, academic freedom has become central to the self-definition of liberal democracy.<sup>16</sup> Institutions free to govern themselves and produce new knowledge are essential elements of democracy itself, along with majority rule, checks and balances, an independent judiciary, rule of law, and constitutional rights. Private universities are one of the counter-majoritarian institutions that helps keep people free. In their competition with authoritarian states, democracies defend this view of academic freedom. But it has come under attack within democracies themselves by authoritarian populists who claim that democracy is simply majority rule.<sup>17</sup> Take, for example, populist representatives in Republican-held state legislatures. Across the United States, they reject the counter-majoritarian vision of the university by painting institutions that define their roles this way as bastions of elite privilege and liberal political correctness.<sup>18</sup>

Thus, American universities find themselves caught in a partisan political debate about what democracy means. This brings them face-to-face with contradictions in their own relationship to the democratic system at home. Ideally, a uni-

iversity 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.<sup>19</sup> 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.<sup>20</sup> Oxford University's partnership with AstraZeneca – which took vaccines developed through academic research into commercial production during the emergency stages of the COVID-19 pandemic – is a dramatic example of the way universities now produce innovations that make life-or-death differences in the societies they serve.<sup>21</sup>

In democratic societies and authoritarian ones alike, universities recruit, train, and accredit ruling elites. In China, prestigious institutions like Tsinghua University have become the gate of entry to the Communist *nomenklatura*. In democratic societies, the university's credentialing function has become critical to the management of democracy's deepest discontents, by expanding access to higher education.<sup>22</sup> In the past fifty years, Western universities have opened their doors to expand opportunity to students from under-resourced communities and renew democracy's elite. In supporting the upward mobility of those once excluded for their race, ethnicity, class, or gender, the university helps legitimize and stabilize societies divided by these fissures. That being said, admission policies have still become a proxy target for public frustration at the inequality that has surged in advanced democracies since the 1980s.

Universities have power, but their role in “platforming” or “deplatforming” speakers and opinions exposes them to political attack.<sup>23</sup> 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 spaces because they are the place where previously imperial societies reckon with their colonial legacies. Institutions that once never paused to question the suitability of a statue honoring a slaveholder, or a monument to an imperialist adventurer, now face new questions from a generation of inquisitive students recruited from every race, creed, and color around the world.<sup>24</sup>

Unlike schools in authoritarian societies, democratic universities can do little to isolate themselves from these ideological pressures. Globalization inundates universities with international styles of intellectual self-righteousness. A scholarly enthusiasm that begins at an elite institution, to deplatform (read: disinvite) certain speakers or ideas, is soon replicated at other institutions around the world. Digital media increases the speed and force of attacks on the credibility of unpopular thinkers, and brings the full force of public opinion to bear on what used to be intermural academic controversies. Just as the Protestant Reformation of the sixteenth century, combined with the printing press, broke apart the Catholic Church’s monopoly on knowledge, so the digital revolution is challenging the university’s traditional authority over knowledge. Everyone possesses the equivalent of the Library of Alexandria on their smartphones, fostering a secular equivalent of the “priesthood of all believers,” with each user believing they have unique access to the educational equivalent of gospel truth. From where they sit, authoritarian regimes watch the knowledge crisis unfold in free societies, and it strengthens their determination to keep both social media and universities under single-party control.

Modern democratic governments are also watching the university’s rise to power, with a skeptical eye. As the chief financiers of higher education, governments will respect university autonomy only so long as the staggering cost of higher education produces clear social benefit. Governments naturally believe that he who pays the piper calls the tune. Authoritarian populists, in particular, use the power of the purse to influence curriculum and hiring decisions, and university autonomy can suffer as a result. Further pressure on academic freedom comes from corporations. Large corporate interests need the university to train their engineers and experts, but they also want to acquire the intellectual property that originates in research labs. Universities also want to collaborate with businesses, but such opportunities expose them to incentives that divert research from pure objectives to applied and

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.

**H**aving 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.<sup>25</sup>

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.<sup>26</sup> 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.”<sup>27</sup> 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.<sup>28</sup>

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, “*Szabad ország! Szabad egyetem!*” (“Free country! Free university!”).<sup>29</sup> 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 CEU* to the European Court of Justice in late 2017. But it wasn’t until 2020 that the court would finally rule that the law violated CEU’s right to establish and operate a business in an EU state. The legal basis of the decision further showed that EU treaty law does not contain legally enforceable guarantees of academic freedom and institutional autonomy. As a result, it could only rule that Hungary had damaged CEU’s corporate and commercial interests as a business entity.<sup>30</sup> The court’s decision was justice delayed, justice denied. By early 2019, concerned that the impasse would jeopardize recruitment efforts and compromise the continuity of its educational offerings, CEU moved its operations across the border to Vienna. Hungary ignored the court ruling and to this day CEU is unable to re-establish teaching programs in the country.

Orbán’s attack on CEU was never about its teaching, research, or academic standing. The university was a hostage in the prime minister’s political battle with George Soros – the institution’s founder, Hungary’s best-known private citizen, and one of the world’s most prominent liberal philanthropists. In the parliamentary election campaign of 2018, Orbán and the Fidesz party plastered the country with posters depicting a laughing Soros and the line: “Don’t let Soros have the last laugh.” The campaign blamed the philanthropist for instigating the flow of refugees into Hungary during the migrant crisis in 2015. Thus, Soros’s “open society” initiative was parsed to mean “open borders.” The campaign also cunningly recycled anti-Semitic tropes of the 1930s (for example, “Why are the Jews laughing at us?”), while denying any anti-Semitic intentions. The campaign won Orbán a third successive election victory.

The CEU affair was never a narrowly Hungarian or even European matter. CEU was a U.S. institution, chartered in New York State and accredited by the U.S.



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 tacit support for the ousting of a U.S. institution was critical to Orbán's success in evicting CEU. Since then, the prime minister has banned gender studies in Hungarian universities and introduced new laws, subsequently replicated by President Vladimir Putin in Russia, to ban the promotion of gay lifestyles in Hungarian schools. Influential Republicans stateside have invited Orbán to speak at prominent conservative gatherings in the United States, such as the Conservative Political Action Conference.<sup>31</sup> In this way, Hungary's leader has leveraged a battle over academic freedom into a position of real influence in the international conservative scene.

After expelling CEU, Orbán stripped the Hungarian Academy of Sciences of its role as the foremost research institution in the country. Following CEU's relocation to Vienna, he also privatized leading Hungarian universities by first giving them endowments in the form of shares in state companies, and then installing party loyalists on their boards with lucrative salaries. In January 2023, the European Commission ruled that these appointments compromise university autonomy. It has therefore withheld Erasmus Program funding for students to study abroad and suspended Hungarian participation in European research initiatives.<sup>32</sup> The large question hanging over Orbán's education policy is whether, in the end, he will suffocate Hungarian higher education and force its best and brightest to emigrate.

**Y**ears after CEU's expulsion, the prime minister invited Fudan University, a Chinese institution, to take its place in Budapest. If Fudan accepts the Hungarian offer, which includes generous concessions in real estate and loans, it will become the largest Chinese institution to operate in the European Union.<sup>33</sup> Orbán's invitation to Fudan epitomizes a new logic of collusion between authoritarian populism at home and authoritarianism abroad. Orbán's campaign against CEU also aligns with Russian and Chinese anti-Western rhetoric, by castigating the university as a symbol of the relativist, permissive cosmopolitan, anti-national decadence of the West. This in turn endeared him to the far-right in liberal democracies who saw him as a courageous defender of the silent conservative majority. Orbán's resulting ascension has shown the way to other conservative populists worldwide. In a supreme irony, these conservative ideologists legitimize their attacks on universities as defenses of academic freedom against "woke" ideologies and coercive liberal political correctness.<sup>34</sup>

Orbán's strategy in Hungary is to use state-controlled universities and institutes to develop a permanent conservative elite that will maintain power indefinitely. This is nothing new, as single-party rulers often seek to perpetuate them-

selves. What is new is authoritarianism within a European Union that is supposed to be a democratic club. What is novel is the attempt to replace Western universities with Eastern ones. What is unprecedented is an endeavor to package autocratic strategies in the language of a ferocious anti-liberal, anti-Western polemic, in a country that sought fervently to rejoin the democratic West and enjoy Western freedoms after 1989.

The prime minister's success lays bare the vulnerability of academic freedom in a world of populist demagogues and authoritarian tyrants. At the same time, the demonstrated success of free institutions – as creators of knowledge, educators of elites, and instruments of upward social mobility – should give demagogues and tyrants pause. For they must worry that they will end up crushing their own institutions, forcing their best talent to flee, and condemning those forced to stay in their societies to academic lives of timid obedience and mediocrity. This is already true in China, Hungary, India, and Turkey. For what victory have authoritarian leaders won if they have muzzled their best universities, exiled their best researchers, and created institutions whose only purpose is to indoctrinate the ruling class? In a world where borders remain open, talent flows toward freedom, not away from it. Demagogues at home and authoritarians abroad tamper with academic freedom at their peril. Faced with the authoritarian challenge domestically and elsewhere, faculty, staff, and students in free institutions have one overarching duty: to ensure that their institutions remain as free and open to pluralistic debate as they claim.

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#### ENDNOTES

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