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**THE FUTURE OF DEMOCRACY
AND ACADEMIC FREEDOM IN CENTRAL EUROPE**
A Neo-Nationalism and University Brief*

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The New Institute/German Association of Professors of Applied Sciences

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In several respects, the early 2020s have been dominated by an accumulated array of interwoven crises. Some of them, like climate change and environmental degradation, have been with us for quite some time, while others such as ever larger numbers of asylum seekers, the COVID-19 pandemic, and the brutal atrocities of the war in Ukraine have somehow caught us by surprise.

In view of the threats to the socio-economic and political stability of our societies we may ask ourselves, as believers in democratic values in the academy and elsewhere: Were we simply not sensitive and attentive enough to the undercurrents of dissatisfaction, unrest, and new waves of neo-nationalist and protectionist movements that won -- in particular in Hungary and Poland, but also in large parts of East Germany -- considerable shares of the votes in regional, national, as well as European elections?

Why didn't we respond earlier to the mostly right-wing attacks on fundamental structures and infrastructures of democratic deliberations, as well as authoritarian approaches towards unsettling the checks and balances between parliaments, governments, constitutional courts, and the public? Did we perhaps miss the opportunities, in countries like Hungary and Poland, but also in other Eastern European countries, "to turn liberation into liberty" (Agnes Heller: Paradox Europa. Vienna and Hamburg, 2019)?

I. THE CASE OF HUNGARY

The most prominent case of neo-nationalist violation of academic freedom in Hungary is the fate of the Central European University (CEU). This university was founded in 1991 by the American-Hungarian hedge funds manager and philanthropist George Soros to act not only as a bridge between Eastern and Western Europe, but also as an incubator "promoting the values of open society."

* Selected contributors to the book Neo-Nationalism and Universities: Populists, Autocrats, and the Future of Higher Education (Johns Hopkins University Press, [Open Access via Project Muse](#)) were asked to provide brief updates to their cases studies.

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Soros symbolised the enemy image of the Hungarian government because the investor, philanthropist, and activist advocates a liberal model of society and, with his Open Society Foundation, financially supports numerous NGOs working, for example, in the interest of civil rights, the rule of law, corruption monitoring, supporting minority populations, and protecting the environment.

Thus, in 2017 the Hungarian government amended its higher education law, imposed two new requirements on private foreign universities operating in Hungary. This law was targeted to close the CEU and, thus, called by its critics “Lex CEU”. In December 2018, the Central European University announced that it would move to Vienna with classes starting in September 2019. There are still some classes in Budapest, but since 2021 all academic programmes are in Vienna operating in various buildings in the city. A new campus is expected to be opened in 2025.

The circumstances of CEU’s forced move out of Hungary came before the European Court of Justice regarding it a possible violation of EU law. It is particularly interesting that the European Commission and the European Court of Justice did not invoke Article 13 of the Charter of Fundamental Rights of the European Union, which explicitly refers to academic freedom. Rather, the Court cited the General Agreement on Trade in Services (GATS) under one of the three pillars of the World Trade Organisation (WTO) 1994 agreement, free trade and the determination that CEU was a form of international educational services that should not be denied to the people of Hungary. Only in an appendix did the Court refer to academic freedom.

II. THE CASE OF POLAND

Poland has a similar hostile environment to academics and academic freedom, although with a glimmer of hope following recent elections.

One case provides a window into the political atmosphere in Poland. In May 2023, the Polish-Canadian historian Jan Grabowski was about to give a lecture at the German Historical Institute in Warsaw. The topic was “The (Growing) Polish Problem with the Holocaust.” With his colleague Barbara Engelking, Grabowski is one of the most important Polish historians. Both have attracted attention in the past with their research on the Holocaust that tells the story of how in the late phase of the extermination of Polish Jews by the Germans, a significant number of begrudging Poles handed over their Jewish neighbours to the Germans.

In the meantime, to some extent in response to such research, a law was discussed in Poland that for “attacks on the good name of the Polish nation” foresees a three-year term of imprisonment. Luckily this law was rejected by the Polish Parliament (the Sejm) after massive protests, while the idea to find other forms of punishment still remained in some parts of Polish society.

At Grabowski’s lecture, the Polish far right-wing parliamentarian Grzegorz Braun disrupted his talk by grabbing Grabowski’s microphone, slamming it several times on the lectern, and cutting off the power ([video footage](#) of the incident can be found on YouTube). At first, the perplexed ushers and the police informed Braun that he was not allowed to damage property. He, in turn, proclaimed his immunity as a member of parliament and that he did not want to be told about Polish history at an event at the German Historical Institute. Since Grabowski, the lecturer, felt unable to continue his paper, the event was finally ended. Braun’s supporters then celebrated with him on the street in front of the Institute.

This violation of academic freedom was, fortunately, followed by an invitation by the University of Warsaw to Grabowski to give his lecture the next day. There were disruptions there too, but at least an academic

discussion ensued. Given that Polish politicians openly threaten to withdraw funding from such research as it is conducted by Grabowski or Engelking, and have already done so, this is a courageous step.

In the recent parliamentary elections, the neo-nationalist forces were unable to hold their own. The majority went to a liberal alliance that promises stronger ties to and integration into the European Union. Regarding the question of what conclusions are to be drawn from the Second World War and its aftermath -- especially in relation to Germany - Poland, however, remains a strongly divided country.

III. NEO-NATIONALISM AND RESTRICTIONS TO ACADEMIC FREEDOM IN GERMANY

Such open breaches of academic freedom as in Hungary or Poland, in which politicians directly try to exert influence on research institutions and professors, are fortunately rather rare in Germany. As a recent survey by the Universities of Applied Sciences shows, a majority of professors do not view academic freedom as under threat in their country (see [Brunotte 2021](#)).

However, a confluence of factors perhaps obscures the differences between *academic freedom* and the *freedom of opinion*. In Germany, academic freedom includes the search for topics, rigorous methodical investigation, and professional norms to express findings and competent opinions, whereas the free speech is outside of these professional norms. Confusions became evident during the Corona pandemic where experts, researchers, and activists were often mixed up with each other by the public, by lawmakers, and the media. Freedom of opinion was misused to discredit professional research expertise.

Moreover, academic freedom (“Wissenschaftsfreiheit”) is to be understood as a personal as well as an institutional right. A university’s freedom and autonomy must be legally protected. The same applies to individual professors in their capacities as teachers and researchers (Constitutional Court Decision of 1973). It is therefore not surprising that the financial steering of research activity via funding programmes, in which forces outside academia dictate what should be researched, or overly hierarchical structures of university governance, in which professors can no longer regulate their own affairs, are also perceived as restrictions on academic freedom.

This shows how important it is to think of academic freedom and the democratic structure of the university together. This is especially true for academic discourse, where counter-arguments must be allowed for every argument. If the better argument is to prevail, then it cannot be that activist groups exert pressure on academic discourse.

Moreover, academic discourse is difficult to conduct via social media, where shortcuts, sensationalism, and exaggerations can obviously be disseminated more effectively. At the same time, such debates cannot easily be hijacked by activists who, believing they know the truth better, prefer to bypass lengthy democratic debates.

In this vexing situation, university leaders are sometimes perceived as inconsistent or evasive. They fear for the good reputation of the university, want to avoid real conflicts, or serve the demands of the activists in anticipatory obedience.

IV. THE ROLE OF UNIVERSITIES AND THE FUTURE OF DEMOCRACY

Thus, the primary task of universities is to ensure a space for free and open debate, first and foremost for the exchange of credible arguments and analysis. Moreover, arguments, facts, and opinions must clearly be separated. This can also mean excluding troublemakers from the classroom, which would probably have been appropriate at the German Historical Institute in Warsaw, or, as the Central European University has done, daring to move to another country to preserve academic freedom.

This does not mean, however, that universities should close themselves off to the moods and opinions that preoccupy society. They are not ivory towers that stand apart from society, but are obliged to be in constant exchange with the citizens.

This means that there is also a need to reconfigure scholarship by opening up new opportunities for civic education and combining academic, social, and emotional learning and re-learning. This should be done with a focus on developing five areas of competencies not only to be acquired by the students, but by the teaching staff and professors as well: self-awareness, social consciousness, self-management, relationship-skills, and responsible decision-making.

These competences will be crucial when it comes to knowledge integration and dissemination for addressing the challenges ahead of us. Universities must make sure that they are being recognized as a legitimate and reliable source of knowledge production; with respect to their local and regional environment much will depend on their readiness to take on the “flagship function” (as described by John Douglass in his book on [The New Flagship University](#), 2016) as well as on developing an institutional culture that values public engagement of their members.

Such an approach seems a far better defence of academic freedom than referring to the GATS agreement, which ultimately reduces higher education to no more than a commodity.