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EU must wake up and defend democracy

by Philip Collins

A row over a Budapest university is about more than arcane regulations — it is a battle to preserve essential freedoms

In 1989, in the wake of liberal optimism after the Berlin Wall came down, a clever young Hungarian came to study at Pembroke College, Oxford, on a Soros Foundation scholarship. On Monday that student, now prime minister of his country, passed a law that threatens academic freedom. Viktor Orban was once both an advocate and a beneficiary of an open society. Now he is one of its enemies and it is a test of the European Union that it should act against him.

In a notably noxious speech this year Orban named the enemies that inspire his brand of nativist nastiness: “The globalists and liberals, the power brokers sitting in their palaces . . . the swarm of media locusts and their owners.” Then he became more specific: “The large predators swimming in the water . . . the transnational empire of George Soros.” Orban has found the perfect target for his attack on the self-governing institutions of a free society. The Central European University (CEU) in Budapest was established by Soros in 1991 to promote the values of open society in the fledgling democracies of the former Soviet bloc. It acquired a reputation for excellence and is known to stand, as universities should, for independent critical thought.

Since Cardinal Newman the idea of a university has been a place in which a culture has a conversation free from stifling orthodoxies of all kinds. On that basis, as he is no more than the sum total of his own thought-clichés, Orban hates everything about it and regularly alleges that the CEU, and other arms of the Soros Open Society Foundation, are undermining democracy in Hungary. Politicians from Orban’s party, Fidesz, routinely accuse NGOs of being the foreign representatives of a liberal elite whose time has passed. The election of President Trump was greeted by Fidesz’s deputy leader, Szilard Nemeth, as “an international opportunity to sweep away” these troublesome organisations.

On March 28 Zoltan Balog, the minister with responsibility for education, submitted a bill to parliament that would require the CEU to seek an explicit contract between the two countries in which it operates, in this case Hungary and America. It will force the CEU to open a campus in New York state and existing and new non-EU academic staff would be required to apply for work permits. As Michael Ignatieff, rector of the CEU, said, this is in effect the imposition of state control on a free institution. Last Sunday 70,000 people marched across the Danube to protest. Hungary’s president, Janos Ader, signed the measures into law the following day even though the Hungarian constitution is meant to guarantee academic freedom.

This is all part of a strategy for Orban. His assault against democratic institutions did not begin with the CEU and will not stop there. He has already forced uncongenial judges into early retirement, weakened the constitutional court and curtailed plenary sessions of the national assembly to every third week. The government has taken over public service media, handed out extra broadcasting licences to supporters and closed critical voices such as the

daily newspaper *Nepszabadsag*. Officials unsympathetic to the Orban regime have been removed from the central bank and replaced with cronies. Freedom House, a democracy watchdog, has said that unless policy changes Hungary will, by next year, no longer be considered a “consolidated democratic regime”.

Hungary’s appalling, inhumane treatment of migrants and asylum seekers should, in any case, be enough to condemn Orban’s government in the eyes of the league of democratic nations. Like all populists, Orban thrives on having enemies and the best candidates, apart from the global liberal elite, are foreigners. Hungarian citizens recently received a questionnaire from their government full of loaded questions inviting them to conclude that migrants were spongers and putative terrorists and that Brussels was intent on letting in a flood of trespassers. To its shame, Hungary is forcibly housing asylum seekers in secured shipping containers surrounded by razor wire.

It is time for the EU to act. European politicians should expel Fidesz from the European People’s Party group (EPP) in the European parliament. Never mind that the EPP needs the dozen votes of Fidesz MEPs to hold sway over the socialist bloc. Some principles are worth more than petty politics. Manfred Weber, the head of the EPP, said that freedom of thought was an essential part of the European identity. Fine words — so act on them. Hungary will be discussed in the European parliament in a plenary session after Easter and that must be the stage for Weber and his colleagues to make a stand.

Frans Timmermans, vice-president of the European Commission, said on Wednesday that Hungary’s legislation against academic freedom may be illegal and that an initial assessment would be complete by the end of the month. Camus once said that democracies were more important for what they prevented than for what they allowed. This is the original point of the EU. It still is. If an attack on academic freedom is against EU law, then Hungary needs to be prosecuted quickly. If it isn’t against EU law then the law needs to change. As it is, the law looks pretty clear. Article 13 of the Charter of Fundamental Rights of the EU says that “the arts and scientific research shall be free of constraint. Academic freedom shall be respected.” The EU could also invoke the rule of law procedure that places pressure on governments to repeal laws that threaten freedoms of a fundamental kind. Academic liberty is one such freedom and voting rights should be withheld until it is guaranteed.

In *Fire and Ashes*, his memoir of Canadian politics, Ignatieff reflected on the successful way the Conservatives denied him what he called “standing” in his own nation. The Orban government is trying to do the same to his university. Orban is insisting that a binding agreement between the US and Hungary must be reached by September 1, though it would be naive to assume his bona fides in any talks. The US State Department, which has been admirably tough so far, should refuse to speak to him on the topic.

The attack on the CEU is a calculated affront by philistines to democratic liberalism. Orban commends his “illiberal democracy” and he should not be indulged any further. Liberal democracy comes as a pairing and anyone who disparages the first term threatens the second. This is more than an arcane dispute about university regulations. It is the battle of our times.