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Veröffentlichungsversion / Published Version  
Zeitschriftenartikel / journal article

**Empfohlene Zitierung / Suggested Citation:**

Petó, A. (2020). Academic Freedom and Gender Studies: An Alliance Forged in Fire. *Gender and Sexuality*, 15, 9-24.  
<https://nbn-resolving.org/urn:nbn:de:0168-ssoar-72237-8>

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Special Contribution

# **Academic Freedom and Gender Studies: An Alliance Forged in Fire**

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## **1 Introduction**

In this paper I would like to share my readings of two major events that happened recently in Hungary. The first was the revoking of the license of a two-year Masters program in gender studies by the Hungarian government without consultation with any professional or scientific institution. The other one was, that after two years of uncertainty, Central European University (CEU) became the first university in the European Union which needed to move to another EU member state because of media harassment and legal uncertainty; in short, becoming a university in exile.

I am going to try to offer a new framework for understanding the policy of illiberal states regarding scientific research. I will do so by telling three stories: the gender studies ban; the attack on academic freedom in Hungary; and my personal story of receiving death threats. All three urge us to think about the consequences of recent attacks on the scientific academy. The paper will conclude with a new theoretical framework for understanding the policies of illiberal polypore states.

## **2 The First Story: The Gender Studies Ban<sup>1</sup>**

In early August 2018, when Budapest is usually suffocating from a heatwave, and most educational institutions are closed for holidays, members of the Hungarian Rectors' Conference received a seemingly innocent email

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<sup>1</sup> More on this see Pető, 2018a.

from the Ministry of Human Capacities (which includes a secretariat for education), asking them to comment on a draft decree by the evening of the next day. The less than 24 hours deadline during vacation season should have been enough to raise alarm bells. But the real issue was hidden in the title of the draft on the modification of other decrees concerning “the training and outcome requirements of vocational-, Bachelor-, and Masters-level educational programs, and the joint requirements of teacher preparation and the training and outcome requirements of various teacher training programs.” After a closer look, readers of the bulky document discovered that in the sub-chapter 16 the draft decree laconically declared that all permissions given to the “Masters program in gender studies” were simply revoked.

Members of the Hungarian Rectors’ Conference could not believe their eyes, and their disbelief was evident in the scorching criticism of their joint comments forwarded to the government. If accepted, the Hungarian government’s proposed decree would cancel an accredited, well-performing MA program in gender studies with consistently high enrollments and excellent placement records. Two Budapest-based universities were offering this program in Hungary: the private Central European University in English from 2006 and the public Eötvös Loránd University (ELTE) in Hungarian from 2017.

The draft decree offered no explanation for either the reasons or the urgency to pass it within 18 hours. However, since the press leaked the draft decree, different government politicians have given four different explanations to the press. First, government officials came up with the argument of economizing taxpayers’ money as they plan to finance more strategic study programs promoting the government’s main aim: demographic growth. However, the program at CEU is not financed by the Hungarian taxpayers as it is a private university. The tuition fee of ELTE for the ten students is 2700 000 Hungarian Forints, less than 8000 (!) euro for a whole academic year.

Then the government came up with the argument that “there is no need

for these graduates in the labor market.” It should be noted, though, that CEU has had 139 graduates from this program since 2006, and, according to an alumni report, the graduates have landed great jobs from Kirghizstan to Iceland and Great Britain in higher education, economy, culture and finance, (this program admits mostly international students.) As for the program at ELTE, the first students to complete the program launched in 2017 will graduate in July 2019 so no data is available about their future placement.

The next argument put forth by the authorities was a lack of student interest in the course – a claim made without any data to support it. At CEU, usually more than 200 students apply for the 22 places available. The number of students admitted to the program at ELTE (ten) is defined by the ministry, not by student interest.

The final argument was that gender studies does not fit Christianity and Christian values. This was being put forward at exactly the same time that the University of Notre Dame, a major catholic higher educational institution, which also runs a gender studies program on their home campus, announced an educational program at the Pázmány Catholic University in Budapest with the strong support from the government; in fact the Minister of Foreign Affairs made the announcement himself.

At this point, after a period of intensive public interest in gender studies education, when everybody has an opinion about what the learning outcomes should be, it is clear that the stakes are high and that the freedom of education and academia are at risk. As Lesley Wilson (2018), Secretary General of the European University Association (EUA), has argued:

It creates a legal framework to suppress knowledge that those in power dislike. It blocks citizens from being informed and from creating and acquiring knowledge - a key feature of Europe’s pluralistic societies and one of the reasons they cherish academic freedom [...] In terms of undermining academic freedom, we have seen similar things in Turkey

and Russia, but this is the first time that such a broad and fundamental attack has happened within the European Union.

The brainstorming stopped on 1 September 2018 when the Hungarian Accreditation Committee (HAC) issued a statement that it had not participated in preparing the draft of the government proposal to revoke the license of the Masters program in gender studies. HAC stated it does not endorse the professional and academic arguments used to justify the proposed revoking of the license. So the government appears to be the only institutional actor responsible for proposing a strongly ideological and political intervention in shaping an academic study program. This violates the freedom of education as well as professional standards.

Never before has a government of an EU Member State sought to legislate the curriculum of universities without consulting the appropriate university institutions. It also sets a dangerous precedent for state intervention in all other university courses, violating the Fundamental Law of Hungary 9.1: “Hungary shall ensure the freedom of scientific research and artistic creation, the freedom of learning for the acquisition of the highest possible level of knowledge and, within the framework laid down in an Act, the freedom of teaching.” And it is also dangerous for the European Higher Education Area (ESG) that governments can directly regulate the licensing of study programs, ignoring the common European framework for quality assurance. For an explanation we need to look at the wider picture.

### **3 Second Story: CEU, a University in Exile<sup>2</sup>**

In the 1980s, when I was in my early twenties living and studying in communist Hungary, there was a blue/white pin which was cool to wear. It was the pin of the Danube circle (Duna Kör), the independent, oppositional

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<sup>2</sup> See Pető, 2017a.

circle founded in 1984 to fight against the planned dam on the Danube River. Wearing this pin was not without political risks in the 1980s but it was definitely “cool.” When I saw a colleague wearing it in the university coffee shop, I immediately asked him where he got it, while trying not to look very suspicious posing the question as I was sure that secret police also wanted to get that piece of information, too.

History repeats itself in strange ways. In April 2017 the Hungarian government passed with extraordinary speed the Lex CEU which makes it impossible for CEU to operate in Hungary. The amendment to the higher educational law requires that curriculum, hiring faculty and staff, and recruitment of students be regulated directly by the Hungarian and US governments. These changes impose political control over one of the most successful institutions in European higher education. CEU has complied with all requirements, and opened a campus in the US, but the Hungarian government still has neither signed an agreement which would allow CEU to operate in Hungary nor communicated if there are additional ad hoc requirements. Without such an agreement, CEU will become the first university in exile in the European Union since WWII after it moves to Vienna in autumn 2019.

CEU was founded in 1991 to fight for freedom and to stand against such policing of ideas. From the minute the proposal became public on 28 March 2017, resistance started. Protests included the production of a blue pin, as blue is the official CEU color, with the slogan “I stand with CEU” written in white in two languages. The story of this pin very much resembles the story of the pin of my political socialization in the early 1980s.

First, it is cool once again to wear that pin. People shouting at you with a wide smile from the other side of the street, repeating the slogan: Free Country, Free University or I stand with CEU. Or they just ask you openly, even on the street, where they can also get a pin. Luckily this is not classified information at the moment, as at the reception of the newly renovated campus of CEU in

Budapest each person was eligible to receive two pins. (Do not ask me why two and not one or three as this was an instruction from the administration). Till the end of April 2017 more than 10,000 pins were handed.

Second, in spite of the overwhelming support, it is not necessarily safe to wear that pin in public. One of our graduates was recently hit in a bar, and the pin he was wearing was torn off his sweater. Another student, while standing in the subway, realized with astonishment that an elderly man had taken a pencil out and started to rewrite the pin he was wearing on his chest. These stories prove that the fight for freedom is a continuous fight. Freedom was the most important guiding principle of CEU's founders in 1991. These founders were Péter Hanák, Miklós Vásárhelyi, György Litván to name only those who are no longer with us. These founders have personally experienced direct political control and the policing of their ideas. The same freedom of thought is at stake now with the new higher education law which threatens the very existence of CEU.

As in the case of the Danube Circle, where international support and contacts proved to be crucial to stop the construction of the dam, these are also crucial in the case of CEU. It is enough to look at our alumni from the 117 countries where CEU students come from to study in Budapest, or the hundreds of international letters of support we have received, to see that the whole world is watching, helping and supporting the resistance. From Pécs to Szeged, from Cambridge to Cluj or Singapore, our graduates are sending CEU letters and organizing protests together with major academic professional organizations while receiving support from politicians in a bipartisan way. In 2017, several important Hungarian conservative intellectuals and public academic institutions, like the Hungarian Academy of Sciences, expressed their solidarity with CEU. However, in 2018, after the sweeping electoral victory of FIDESZ, the Hungarian Academy of Sciences also became a target of government policies. This Lex CEU is the betrayal of our common dream, and the hopes of 1989 are being betrayed by FIDESZ. They forget, but those who

are wearing the blue-and-white “I stand with CEU” pin do not — and they are definitely more numerous than back in 1984. At least these numbers can give us hope for the future.

#### 4 Third Story: A Personal Story<sup>3</sup>

Abby L. Ferber, in her 2017 presidential address at the meeting of Sociologists for Women in Society, analyzed the threats and harassment educators face in institutions of higher education in the United States, and quoted Malcom X: “If you’re not ready to die for it, put the word ‘freedom’ out of your vocabulary” (Ferber, 2018, p. 314). Historically, as in the case of Giordano Bruno or Spinoza, scientific work was accompanied by the receipt of daily threats. Nowadays we scholars falsely believe that we are working in a secure academic environment, but this is increasingly not the case. The question is, how did the intellectual work of teaching and scientific research become a life-threatening occupation once again? Finding an answer is ever more urgent for those of us in the field of gender studies.

Academia.edu is a platform for researchers to share their work with those who do not have access to a rich library with scholarly books and periodicals. It makes works visible, especially ones that are otherwise not indexed by databases, such as chapters in edited volumes. It is not known for its messaging function, which I didn’t know even existed until 2 March 2017, when I received a threatening message from a pseudonymous user. Besides allusions to the devil and various curses, the message also foresaw the eradication of my breed. I became alarmed. At the time, the global anti-gender attack was already in full swing. In the Hungarian media and online, attacks had already intensified, especially after ELTE started its state-financed gender studies MA program. All at once everyone – in the Parliament, the press, and online – had an opinion about what gender studies was about, what we teach, and what are or should

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<sup>3</sup> See Pető, 2018b.



be the requirements for admission and receiving a degree.

Before that message on academia.edu, I had never received a threatening email, but what Ferber has aptly termed “public targeted online harassment” (Ferber, 2018, p. 302) has been a part of my everyday life since I began writing online. (If commenting is allowed, then usually the second comment is an anti-Semitic slur.) My journalist acquaintances suggested that I stop reading comments, adding that they never read them, either. I took their advice and established the illusion that the Internet and reality are two different spheres, and whatever happens in the virtual space has no real effect on me.

That is, until someone registered on academia.edu downloaded my article on the history of abortion regulation in Hungary and then left a Satanist verse behind. I’ll be honest: I started to panic. I wrote to CEU’s pro-rector for Hungarian affairs, who immediately called me and advised me to go to the police. Soon after, the university’s lawyer also called me, followed by the university’s vice-president for administration, both asking how they could help. It meant a lot that my workplace stood beside me. I told them that I wasn’t sure whether the sender was a lonely man, guided by sheer anger, and someone who doesn’t have to be taken seriously, or whether this was a serious threat not to be taken lightly.

Therefore, following institutional advice, I went to the Budapest 13th District police department, where, after an hour and a half of waiting, an exhausted and bored policewoman took my statement. She asked me very professionally to let them know if there are any new developments, and to email them any pieces of evidence I possessed. I did so as soon as I got home. The overworked and underpaid police had 30 working days to investigate the case which would require immediate action to decide if a life is in danger. An acquaintance familiar with the investigation of hate crimes suggested that I personally get in touch with the investigating officer and put pressure on him or her into doing very thorough work.

My difficulties began soon after giving my statement. Although I was able

to figure out the name of the investigating officer in charge of my case, finding her was challenging. Each time I called, she was either out for lunch, or on training, or having a day off. Finally, after weeks of chasing, I caught her, only to hear that she had not yet found the time to look into my file. She assured me that she would check the case and call me. She never did. I made a few more attempts to reach her but to no avail. When the 30 working days had passed, I called again and the investigating officer, who was surprised at my call, told me that the investigation had been terminated.

The investigation was terminated on the account that the text was from the lyrics of a Satanist band, and so it did not represent the individual thoughts of the sender; therefore, went the argument, it did not constitute fear-mongering. Furthermore, since there was no addressee, it could be proven that the message was intended for me. Lastly, they told me, "It was not possible to establish during the investigation whether the anonymous user sent the lyrics just to attract attention."

Despite institutional setbacks, I still lodged an appeal to the prosecutor's office because when I shared my story in gender studies circles, I learned that others had also received threats from the same username. The rejection arrived on 7 September 2017, on the basis that "[t]he action of the unknown user, the sending of lyrics on exorcism via email, cannot be identified as an act of violent harassment, because it did not contain a threat against an actual person. According to the Penal Code the use of phrases such as 'I will hunt you down' and 'I will dispel you from the face of earth' cannot be identified as a crime against a person." The district vice-prosecutor added that my complaint contained no new information or facts.

At this stage, I had exhausted every possible legal measure although I could have perhaps turned to a hacker who could have easily found out who the offender was as their profile is still active on academia.edu.

## 5 The Morals of These Stories of Gender Studies and CEU, a University in Exile

Firstly, a well-regulated legal system can become futile if it does not keep up with changes in reality. The threat posed by “public targeted online harassment” is of a different nature than the “threat” defined in the Penal Code. Its targets are primarily scientists, educators, and thinkers, and the offender’s goal is to raise fear and uncertainty, rather than pose a physical threat.

Secondly, the entire legal process took five months. Anything could have happened to me or others who received the same threatening message during those five months.

Thirdly, in spite of the fact that the offender had sent threatening emails and Facebook messages to others, the investigation of these cases was not undertaken as the police did not do their job. Each person who was threatened by the person using the same name belongs to the Budapest gender studies community. And this is where we should start analyzing the wider framework, the reasons behind these threats.

This “public targeted on-line harassment” is connected to a new phenomenon. The appearance of anti-gender studies movements and the emergence of hate speech aim to challenge the political and scientific legitimacy of gender equality and science. By scrutinizing the political framework of the illiberal polypore state, we can understand how the awareness of being threatened can alter university education and scientific work. In the recent past, Hungary’s Fidesz-KDNP government established a novel state formation; a new quality of governance. Political scientists argue about whether the current ruling system should be defined as “democratic authoritarianism,” “hybrid state,” “illiberal state,” or “mafia state.”

Together with the Polish sociologist Weronika Grzebalska (2018), we suggested the term “polypore state.” Understanding this new form of state is crucial in order to prepare effective strategies to protect academic infrastructure

against the attacks of state actors. The polypore is a parasite pore fungus that lives on wood and produces nothing else but more polypores. In our article we defined three functional characteristics of the polypore state: the establishment of parallel institutions, familialism, and security discourse, all of them gendered. One typical feature of the polypore state is the establishment of a parallel, state financed NGO sphere. Another characteristic of the polypore state is familialism, or the replacement of gender politics with family politics, based on which the state's social policies exclusively support families, i.e. heterosexual married couples. The third characteristic of the polypore state is the usage of the security discourse.

The Fidesz government regularly presents policy related questions as security questions. According to their rhetoric, a vigilant government defeats the threat of the EU, the UN, the migrants, gender studies professionals, George Soros, etc. The security discourse also affects narratives concerning scientific research policies. Calling scientists enemies, enemies of the nation, and personally intimidated those who disagree with government policies has become an everyday routine. This is why these attacks should not only concern gender studies scholars but everybody who is invested in human rights and democracy.

In Hungary, the anti-gender battle commenced in 2008 when an MP called a secondary school supplementary textbook on the gender history of Hungary an agent of the "culture of death." The same MP then went on to question why the government—at that time a leftist liberal one—spent taxpayers' money on it.<sup>4</sup> The "culture of death" phrase and the related discourse are used by the anti-gender movement to raise hatred and fear against gender studies' focus on equality. In doing so, they apply the toolkit of science: with ad hoc quotations from a hodge-podge of surveys, they undermine the relevance of gender researchers, their scientific findings, and the value and legitimacy of

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<sup>4</sup> More on this see Pető, 2017b.

their scientific endeavors. Lex CEU was a continuation of this kind of attack as was the attack against the Hungarian Academy of Sciences. These attacks culminated in the infamous bill of August 2018 that aimed to erase gender studies from the list of state-accredited university courses.

The anti-gender movement is not merely another offshoot of centuries-old anti-feminism. When a politician claims that women's sole purpose is childbearing, or when a pop celebrity discusses the so-called female principle, these are not simply conservative responses to the success of the 1968 movements. The anti-gender movement is fundamentally a new phenomenon that was launched for the sake of establishing a new world order. It is a battlefield for socialization in the Gramscian sense.

The anti-gender movement is also a nationalist neoconservative response to the crisis of the global neoliberal world order so it should interest everyone who is committed to human rights and democracy, and not only researchers of gender (Kováts and Pető, 2017). The anti-gender movement attacks liberalism, and therefore, democracy. In the meantime, the role of the state changes because the polypore state no longer considers political diversity an asset.

The anti-gender movement applies scientific-looking arguments to support its ideological moves. The way it goes about making these arguments is what makes it into a mock science. It is saturated with hatred. And this is the hatred that emanated from the message to my academia.edu page. "Public targeted online harassment" is dangerous, not only because it is in harmony with how the polypore state functions and because it draws attention and energy away from very important matters. It is also dangerous because it attempts to dismantle the notion that research and education are public goods and human rights. The institutional system should protect educators and researchers as they are exercising human rights to do science while creating public goods.

Historical analogies can be misleading. This fact that CEU had to go into exile is not the same as when Charles University in Prague in 1938, Warsaw

University in 1939 or Oslo University, when they were closed by the Nazis and professors were deported. Rather it is similar to the move of the European Humanities University from Minsk, Belorussia, to Vilnius. Lukashenko's policy purged western-oriented intellectuals from his impoverished and isolated country. A similar situation has occurred in Hungary except that this process has been financed by EU taxpayers via EU funding mechanisms too easy to hijack.

Hungary was recently called a "laboratory" by Prime Minister Orbán in his speech in London as the trends in Hungary might be used by other European countries as successful political strategies to win elections promising safety and a feeling of belonging (Pető and Vasali, 2014).

## 6 Conclusion

To conclude, this paper argues against despair because of the lessons learned during the past years of living, working and teaching in illiberal Hungary that will help the fight for academic freedom.

First, previously scholars of gender studies were either working in their offices in the attic or in the cellar, but they were definitely marginalised. Now, due to the campaign, Hungary, a country of 10 million, has become a country of 10 million gender experts and everybody has an opinion about the reading list, learning outcomes or the labour market position of the graduates.

A lesson learned is the importance of networks, international contacts, and press relations. But at the same time there is the sad conclusion that traditional forms of resistance—petitions, signatures, public protests—have little or no impact as they do not touch that part of the polypore state they are really interested in: the economy and money. PM Orbán only seriously considered the Bavarian Solution, the proposal by Manfred Weber from European People's Party to negotiate a deal to help CEU stay in Hungary, because BMW was involved. Once BMW was out from the deal, Orbán no longer gave it serious consideration (Vasali, 2019).

The third lesson is the understanding of the surprising weakness of the European feminist infrastructure. It was not ATGENDER which collected signatures from the more than hundred masters' programs in gender studies in Europe but a dedicated and politically savvy scholar, David Paternotte. Unlike the European gender studies organization, the strength of professional networks—feminist sociologists, historians, political scientists—was obvious as they wrote protest letters in a week during the summer season. But this is another lesson learned: writing letters and signing manifestos are not enough. European professional organizations like European University Association and All European Academies are also issued statements protecting academic freedom and gender studies and they all received the same standardized general answer from the Hungarian government. The protests and letters written in support made it clear that there are scholars and institutions who despise and are resisting the politics of the Hungarian government, but in practice there was no impact. Education is a national competency in Europe so national governments can regulate it as they wish. And if the nation state is captured by a small group then it can do whatever the group wants. Paradoxically, the national frame which has been criticized by feminists as methodological nationalism can protect gender studies. And alliances with unholy political and economic actors. This is a transnational attack copying strategies, policies which were working on the national level, so hopefully national actors of gender studies could also learn from strategies of the others.

The next lesson is that during the fight it was obvious that what is missing among the political skills of feminists/academics who have been trained to define what something is, is the skill to think of how to achieve something. The lack of political imagination beyond being upset and protesting with signing letters needs to be critically examined in the future.

A consequence of the ban is that students have been mobilized and there are an increasing number of applications for the CEU Gender Studies Program in Vienna that demonstrate that gender studies is a “cool” discipline. We have

lost the accredited program in Hungary, but the gender studies community is facing this failure with dignity and unity. The recent strike on 14 November 2018 at the universities of ELTE, Corvinus and CEU proves that gender is being mainstreamed as a result of the ban (Balogh, 2018). During this active strike as a form of protest, professors from these three universities in Budapest — who were mostly previously elegantly ignored gender scholars — were teaching gender elements in their courses and discussing female authors and their works. They would not have been doing so if the government had not banned a discipline: gender studies. The ban was a good wake up call for all of us to save not only the discipline but to free science as such.

CEU did its part when I received a threatening message on my academia.edu page. The transformative history of sovietization in Eastern Europe should make us particularly aware of the stakes involved in scientific research: it is truly a matter of life or death. Hungary already crossed a red line as far as attacks on science are concerned by revoking the license of an accredited study program without consultation with the professional organizations and forcing a university into exile. Hungary serves as a laboratory for other countries to learn from and think critically about how to fight against the polypore state. And about whether it will be sooner than we think that we will all have to respond to the question: would we die for the freedom of science?



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